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# CENTRALIA CITY CODE.

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COMPRISING——

ORIGINAL CHARTER AND AMENDMENTS,  
THE LAWS OF THE STATE OF ILLINOIS  
RELATING TO THE GOVERNMENT OF

THE CITY OF CENTRALIA,

GENERAL ORDINANCES,  
SPECIAL ORDINANCES AND  
ILLINOIS CENTRAL RAILROAD CONTRACT.

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REVISED AND CODIFIED BY——

**Frank F. Noleman and William F. Bundy,**

Attorneys at Law.

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PUBLISHED BY AUTHORITY OF THE CITY COUNCIL.

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1896.

**CENTRALIA, ILLINOIS.**

PRINTED BY THE CENTRALIA DAILY  
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**1896.**

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# CITY GOVERNMENT OF CENTRALIA.

FROM INCORPORATION IN 1859 TO 1896 INCLUSIVE.

**1859.** *Mayor*—Mathew C. Kell. *Aldermen*—1st Ward, J. J. Dimick, J. G. Cormick; 2d Ward, Samuel Storer, D. H. McCord; 3d Ward, James Cunningham, G. V. Johnson. *City Marshal*—A. H. Seley,\* H. Butler.† *Street Commissioner*—E. Probst. *City Surveyor*—S. Frazier. *Treasurer*—James Wilson. *Assessor*—A. H. Crosby. *Police Magistrate*—Edwin S. Condit. *Clerk*—Lewis Bunce. *Attorney*—Geo. C. McKee. *Collector*—A. H. Seley,\* L. Bunce.‡

**1860.** *Mayor*—Mathew C. Kell. *Aldermen*—1st Ward, J. J. Dimick, J. G. Cormick; 2d Ward, Samuel Storer, J. L. Hallam; 3d Ward, James Cunningham, A. P. Crosby,\* W. M. Parkinson. *City Marshal*—H. Butler. *Street Commissioner*—W. J. McCurtie. *Surveyor*—S. Frazier. *Assessor and Treasurer*—W. C. Stites. *Police Magistrate*—E. S. Condit. *Clerk*—T. J. Johnson. *Attorney*—Geo. C. McKee. *Collector*—E. S. Condit.

**1861.** *Mayor*—Mathew C. Kell. *Aldermen*—1st Ward, J. G. Cormick, J. Gaylord; 2d Ward, J. L. Hallam, A. P. Crosby; 3d Ward, E. B. Marshall, T. L. Parkinson. *City Marshal*—H. Butler. *Street Commissioner*—W. J. McCurtie. *Surveyor*—S. Frazier. *Assessor and Treasurer*—W. C. Stites. *Police Magistrates*—E. S. Condit, Stuart Kingsbury. *Clerk*—Jas. Parkinson. *Attorney*—H. D. Adams. *Collector*—E. S. Condit,\* C. Merritt.†

\* Resigned. † Elected. ‡ Appointed. § Died.

**1862.** *Mayor*—Samuel Storer. *Aldermen*—1st Ward, J. G. Cormick, J. I. Logan; 2d Ward, John Betz, S. M. Warner; 3d Ward, E. B. Marshall, T. L. Parkinson. *City Marshal*—W. J. A. DeLancey. *Surveyor*—S. Frazier. *Street Commissioner*—T. B. Harris,\* W. J. McCurtie†. *Assessor and Treasurer*—W. C. Stites,\* A. H. Crosby†. *Police Magistrates*—Edwin S. Condit, Stuart Kingsbury. *Clerk*—James Parkinson. *Attorney*—H. D. Adams. *Collector*—E. S. Condit\*, Caleb Merritt.

**1863.**—*Mayor*—Samuel Storer. *Aldermen*—1st Ward, J. G. Cormick, D. J. Besant; 2d Ward, S. M. Warner, John Betz,\* Wm. Stoker†; 3d Ward, T. L. Parkinson, G. V. Johnson. *City Marshal*—J. Q. Barnes. *Street Commissioner*—W. J. McCurtie. *Surveyor*—S. Frazier. *Assessor and Treasurer*—A. H. Crosby. *Police Magistrates*—E. S. Condit, Stuart Kingsbury, C. W. Phillips. *Clerk*—James Parkinson. *Attorney*—H. D. Adams. *Collector*—Caleb Merritt.

**1864** *Mayor*—J. G. Cormick. *Aldermen*—1st Ward, D. J. Besant, S. P. Tufts; 2d Ward, S. M. Warner, Wm. Stoker; 3d Ward, T. L. Parkinson, G. V. Johnson. *City Marshal*—J. Q. Adams. *Street Commissioner*—G. W. Bell. *Surveyor*—S. Frazier. *Assessor and Treasurer*—A. H. Crosby. *Police Magistrate*—E. S. Condit. *Clerk*—Heiman C. Hand. *Attorney*—H. D. Adams§, George A. Sanders.† *Collector*—William Cunningham.

**1865.** *Mayor*—J. G. Cormick. *Aldermen*—1st Ward, D. J. Besant, S. P. Tufts; 2d Ward, Wm. Stoker, M. C. Kell; 3d Ward, T. L. Parkinson, E. S. Morrison. *City Marshal*—John Stoker. *Street Commissioner*—G. W. Bell. *Surveyor*—S. Frazier. *Assessor and Treasurer*—A. H. Crosby. *Police Magistrates*—Edwin S. Condit, I. W. Timmons. *Attorney*—George A. Sanders. *Clerk*—James Parkinson. *Collector*—William Cunningham.

**1866.** *Mayor*—B. C. Howard. *Aldermen*—1st Ward, J. C. Bohn, D. H. McCord; 2d Ward, M. C. Kell, E. L. Pettengill;

3d Ward, E. S. Morrison, Samuel Benson. *City Marshal*—James Cunningham. *Street Commissioner*—G. W. Bell. *Surveyor*—S. Frazier. *Assessor and Treasurer*—Samuel Storer. *Police Magistrates*—E. S. Condit, I. W. Timmons. *Clerk*—S. P. Tufts. *Attorney*—E. N. Bates. *Collector*—James Cunningham.

**1867.** *Mayor*—Samuel Storer. *Aldermen*—1st Ward, J. C. Bohn, C. O. Pease; 2d Ward, M. C. Kell, C. G. Noble; 3d Ward, E. S. Morrison, T. L. Parkinson,\* R. D. Noleman.† *City Marshal*—Wm. B. Matthews. *Street Commissioner*—W. D. Hutchins. *Surveyor*—A. Mitchell. *Assessor and Treasurer*—A. L. Wellman. *Police Magistrates*—Edwin S. Condit, J. C. Gunn. *Clerk*—J. C. Cooper. *Attorney*—S. L. Hand. *Collector*—John Zick.

**1868.** *Mayor*—Samuel Storer. *Aldermen*—1st Ward, C. O. Pease, J. VanCleve; 2d Ward, C. G. Noble,\* M. C. Kell; 3d Ward, R. D. Noleman, E. S. Morrison. *City Marshal*—J. Q. Barnes. *Street Commissioner*—N. L. Schultz. *Surveyor*—A. Mitchell. *Assessor and Treasurer*—A. L. Wellman. *Police Magistrates*—E. S. Condit, J. C. Gunn. *Clerk*—J. C. Cooper. *Attorney*—M. L. McCord\*; S. L. Hand,† *Collector*—B. Zick.

**1869.** *Mayor*—John L. Hopkins. *Aldermen*—1st Ward, J. VanCleve, Stephen White\*, C. O. Pease†; 2d Ward, M. C. Kell, A. T. Barnes; 3d Ward, R. D. Noleman, A. H. Seley. *City Marshal*—J. H. Topping. *Street Commissioner*—Warren Ball. *Surveyor*—W. R. Lawrence. *Assessor and Treasurer*—B. Zick. *Police Magistrates*—E. S. Condit, Henry Kurth. *Clerk*—L. H. Parker. *Attorney*—S. L. Hand. *Collector*—Anthony W. Young.

**1870.**—*Mayor*—M. C. Kell. *Aldermen*—1st Ward, C. O. Pease\*, E. W. Welden, J. T. Jackson†; 2d Ward, A. T. Barnes, E. B. Marshall; 3d Ward, R. D. Noleman, A. H. Seley. *City Marshal*—J. H. Topping. *Street Commissioner*—T. L. Parkinson. *Surveyor*—S. Frazier. *Assessor and Treasurer*—

B. Zick,\* A. W. VanAntwerp. *Police Magistrates*—E. S. Condit, Henry Kurth. *Clerk*—John H. Oxley. *Attorney*—S. L. Hand. *Collector*—James Parkinson.

**1871.** *Mayor*—A. T. Barnes. *Aldermen*—1st Ward, E. W. Welden, George W. Sisson; 2d Ward, E. B. Marshall,\* Conrad Bills, W. D. Hutchins†; 3d Ward, R. D. Noleman, A. H. Seley. *City Marshal*—J. W. Campbell. *Street Commissioner*—Warren Ball. *Surveyor*—S. Frazier. *Assessor and Treasurer*—Peter Klepper. *Police Magistrates*—E. S. Condit, Henry Kurth. *Clerk*—S. A. Frazier. *Attorney*—S. L. Hand. *Collector*—James Parkinson.

**1872.** *Mayor*—L. H. Parker. *Aldermen*—1st Ward, George W. Sisson, James Morrison; 2d Ward, Conrad Bills, John Merkelback; 3d Ward, Samuel R. Wild, William M. Lee. *City Marshal*—J. W. Campbell. *Street Commissioner*—Nicholas Born,\* R. S. Taylor.† *Surveyor*—S. Frazier. *Assessor and Treasurer*—Thomas R. Ord. *Police Magistrates*—E. S. Condit, Henry Kurth. *Clerk*—S. P. Tufts. *Attorney*—G. F. O'Melveny. *Collector*—J. V. Swarthout. *Sexton*—S. H. Ball. *Board of Education*—President, J. Cell; Secretary, L. G. Wilcox; Treasurer, Joseph Hefter; H. D. Buck, James E. Marshall, Seymour Andrews.

**1873.** *Mayor*—Samuel Storer. *Aldermen*—1st Ward, J. Morrison, H. Hall; 2d Ward, W. D. Hutchins, J. Merkelback; 3d Ward, S. R. Wild, Wm. Lee, *Clerk*—H. G. Hand. *Attorney*—S. A. Frazier. *Collector*—J. V. Swarthout. *City Marshal*—R. Jolliff. *Sexton*—S. H. Ball. *Street Commissioner*—L. Thomas. *Police Magistrates*—E. S. Condit, S. L. Hand. *Board of Education*—President, T. R. May; Secretary, L. G. Wilson; Treasurer, Joseph Hefter; H. D. Buck, J. Cell, F. Kohl.

**1874.** *Mayor*—M. C. Kell. *Aldermen*—1st Ward, H. Hall, W. H. Cullimore; 2d Ward, W. D. Hutchins, J. Merkelback; 3d Ward, S. R. Wild, R. Barron. *Clerk*—H. G. Hand. *Attorney*—S. A. Frazier. *Collector*—J. V. Swarthout. *Sexton*—S. H. Ball. *Street Commissioner*—L. Thomas. *City Marshal*—R.

Jolliff. *Police Magistrates*—E. S. Condit, S. L. Hand. *Board of Education*—President, T. R. May; Secretary, S. Frazier; Treasurer, Joseph Heftner; F. Kohl, Amos Clark, James Wilson.

**1875.** *Mayor*—S. Andrews. *Aldermen*—1st Ward, A. McLean, W. H. Cullimore; 2nd Ward, C. B. Gifford, J. Merkleback; 3d Ward, R. Barron, S. R. Wild. *City Marshal*—R. Jolliff. *Clerk*—H. G. Hand. *Collector*—J. V. Swarthout. *Attorney*—S. A. Frazier. *Sexton*—S. H. Ball. *Street Commissioner*—C. C. Estes. *Police Magistrates*—E. S. Condit, S. L. Hand. *Board of Education*—President, Amos Clark; Secretary, S. Frazier; Treasurer, J. Heftner; D. H. McCord, S. L. Dwight, James Parkinson.

**1876.** *Mayor*—M. B. Sadler. *Aldermen*—1st Ward, A. McLean, J. K. Lape; 2d Ward, E. S. Condit, M. C. Kell; 3d Ward, T. L. Parkinson, S. R. Wild. *Clerk*—S. P. Tufts. *City Marshal*—W. N. Jennings. *Collector*—J. Touve. *Attorney*—W. E. C. Lyons. *Sexton*—S. H. Ball. *Street Commissioner*—A. M. Seley. *Police Magistrates*—E. S. Condit, S. L. Hand. *Board of Education*—President, D. H. McCord; Secretary, James Parkinson; Treasurer, Joseph Heftner; S. L. Dwight, M. VanPatten, Jacob Grosch.

**1877.** *Mayor*—M. B. Sadler. *Aldermen*—1st Ward, A. M. McLean, S. A. Frazier; 2nd Ward, E. S. Condit, M. C. Kell; 3d Ward, M. VanPatten, T. L. Parkinson. *City Marshal*—W. N. Jennings. *Clerk*—E. L. Stoker. *Collector*—J. Touve. *Attorney*—W. E. C. Lyons. *Sexton*—S. H. Ball. *Street Commissioner*—A. M. Seley. *Police Magistrates*—E. S. Condit, J. W. Dickerson. *Board of Education*—President, S. M. Warner; Secretary, James Parkinson; Treasurer, Joseph Heftner; W. R. Young, M. VanPatten, Jacob Grosch.

**1878.** *Mayor*—M. B. Sadler. *Aldermen*—1st Ward, D. Wilson, E. W. Welden; 2d Ward, E. S. Condit, R. E. Tate; 3d Ward, R. Barron, T. L. Parkinson. *Clerk*—E. L. Stoker. *Attorney*—W. E. C. Lyons. *City Marshal*—W. N. Jennings.

*Police Magistrates*—E. S. Condit, J. W. Dickerson. *Sexton*—S. H. Ball. *Street Commissioner*—A. M. Seley. *Board of Education*—President, James Parkinson; Secretary, W. R. Young; Treasurer, Joseph Hefter; A. M. Warner, W. I. Woodward, T. R. May.

**1879.** *Mayor*—M. B. Sadler. *Aldermen*—1st Ward, B. Haussler, E. W. Welden; 2d Ward, R. E. Tate, M. C. Kell; 3d Ward, T. L. Parkinson, O. Junkerman. *Clerk*—Z. T. Condit; *Attorney*—S. A. Frazier. *City Marshal*—W. N. Jennings. *Police Magistrates*—E. S. Condit, J. W. Dickerson. *Collector*—S. A. Frazier. *Sexton*—J. A. Estes. *Street Commissioner*—C. C. Estes. *Board of Education*—President, J. Parkinson; Secretary, F. R. Saxe; Treasurer, J. Hefter; T. R. May, W. I. Woodward, John W. Turlay.

**1880.** *Mayor*—M. B. Sadler. *Aldermen*—1st Ward, B. Haussler, Samuel Row; 2d Ward, J. Besant, M. C. Kell; 3d Ward, Wm. Lee, O. Junkerman. *Clerk*—Z. T. Condit. *Attorney*—E. L. Stoker. *City Marshal*—Geo. Bell. *Police Magistrates*—E. S. Condit, J. W. Dickerson. *Sexton*—J. A. Estes. *Street Commissioner*—C. C. Estes. *Board of Education*—President, T. R. May; Secretary, F. R. Saxe; Treasurer—J. Hefter; John W. Turlay, James Parkinson, S. A. Frazier.

**1881.** *Mayor*—James Benson. *Aldermen*—1st Ward, B. Haussler, S. Row; 2d Ward, J. Besant, M. C. Kell; 3d Ward, Wm. Lee, J. T. Cunningham. *City Marshal*—J. F. Mitchell. *Attorney*—E. L. Stoker. *Clerk*—Z. T. Condit. *Street Commissioner*—C. C. Estes. *Sexton*—J. Taylor. *Police Magistrates*—E. S. Condit, J. W. Dickerson. *Board of Education*—President, S. A. Frazer; Secretary, John W. Turlay; Treasurer, Truman Andrews; T. R. May, James Parkinson, Seymour Andrews.

**1882.** *Mayor*—M. B. Sadler. *Aldermen*—1st Ward, S. A. Frazier, B. Haussler; 2d Ward, J. Besant, M. C. Kell; 3d Ward, J. Swatman, J. T. Cunningham. *Clerk*—Z. T. Con-

dit. *Attorney*—E. L. Stoker. *Sexton*—J. Taylor. *City Marshal*—J. F. Mitchell. *Street Commissioner*—C. C. Estes. *Police Magistrates*—E. S. Condit, J. W. Dickerson. *Board of Education*—President, John W. Turlay; Secretary, Joel Grubb; Treasurer, Joseph Hefter; Seymour Andrews, T. P. Davis, Jacob Grosch.

**1883.** *Mayor*—E. W. Weldon. *Aldermen*—1st Ward, S. A. Frazier, M. B. Sadler; 2d Ward, M. C. Kell, J. Besant, Jr.; 3d Ward, J. Swatman, J. Benson. *Clerk*—Z. T. Condit. *Attorney*—E. L. Stoker. *Sexton*—J. Taylor. *City Marshal*—J. F. Mitchell. *Street Commissioner*—C. C. Estes. *Police Magistrates*—E. S. Condit, J. W. Dickerson. *Board of Education*—President, Joel Grubb; Secretary, S. L. Dwight; Treasurer, Joseph Hefter; Jacob Grosch, James V. Allen, Thomas P. Davis.

**1884.** *Mayor*—E. W. Weldon. *Aldermen*—1st Ward, M. B. Sadler, David Wilson; 2d Ward, M. C. Kell, J. Besant, Jr.; 3d Ward, J. Benson, David Lewis. *Clerk*—Z. T. Condit. *Attorney*—E. L. Stoker. *Treasurer*—J. Randall. *Street Commissioner*—C. C. Estes. *City Marshal*—J. Benardini. *Sexton*—J. H. Taylor. *Police Magistrates*—S. S. Condit, J. W. Dickerson. *Board of Education*—President, Jacob Grosch; Secretary, J. V. Allen; Treasurer, J. Hefter; S. L. Dwight, S. A. Frazier, W. P. White.

**1885.** *Mayor*—M. B. Sadler. *Aldermen*—1st Ward, David Wilson, E. W. Welden\*, C. B. Ulyette;† 2d Ward, J. Besant, Jr., E. S. Condit; 3d Ward, David Lewis, Wm. Lee, Sr. *Clerk*—Z. T. Condit. *Attorney*—S. A. Frazier. *Treasurer*—J. Randall. *Street Commissioner*—C. C. Estes. *Sexton*—T. S. Stewart. *City Marshal*—J. R. Duncan. *Police Magistrates*—E. S. Condit, J. W. Dickerson. *Board of Education*—President, S. A. Frazier; Secretary, Jacob Grosch; Treasurer, E. S. Condit, Jr.; W. P. White, S. M. Warner, John H. Oxley.

**1886.** *Mayor*—B. Haussler. *Aldermen*—1st Ward, C. B. Ulyette, Wesley Clark§, R. D. Beaver†; 2d Ward, E. S. Condit,

Wm. Casson\*; 3d Ward, Wm. Lee, A. M. Soley. *Clerk*—Z. T. Condit. *Attorney*—S. A. Frazier. *Sexton*—J. S. Stewart. *City Marshal*—J. R. Duncan. *Treasurer*—J. Randall. *Street Commissioner*—C. C. Estes. *Police Magistrates*—E. S. Condit, J. W. Dickerson. *Board of Education*—President, S. A. Frazier; Secretary, John H. Oxley; Treasurer, E. S. Condit, Jr.; J. R. Caskey, S. M. Warner, W. W. Scott.

**1887.** *Mayor*—B. Haussler. *Aldermen*—1st Ward, R. D. Beav-  
er, M. B. Sadler; 2d Ward, W. P. White, E. S. Condit; 3d Ward, A. M. Soley, J. H. Johnson. *Clerk*—Z. T. Condit. *Attorney*—S. A. Frazier. *Treasurer*—J. Randall. *Street Commissioner*—C. C. Estes. *Sexton*—T. S. Stewart. *City Marshal*—J. H. Sturdevant. *Police Magistrates*—E. Probst, J. W. Dickerson. *Board of Education*—President, S. A. Frazier; Secretary, J. R. Caskey; Treasurer, A. H. Steven-  
son; J. K. Rahm, E. L. Welton, W. W. Scott.

**1888.** *Mayor*—F. D. Rexford. *Aldermen*—1st Ward, M. B. Sadler, J. A. Biby; 2d Ward, E. S. Condit, F. Buehler; 3d Ward, J. H. Johnson, George Wright. *Clerk*—Z. T. Condit. *Attorney*—W. F. Bundy. *Treasurer*—J. Randal. *Street Commissioner*—C. C. Estes. *Sexton*—T. S. Stewart. *City Marshal*—J. H. Sturdevant. *Police Magistrates*—E. Probst, J. W. Dickerson. *Board of Education*—President, S. A. Frazier; Secretary, J. K. Rahm; Treasurer, A. H. Steven-  
son; George Bruenning, W. W. Scott, E. L. Welton.

**1889.** *Mayor*—M. B. Sadler,\* J. A. Biby,§ J. Benson.† *Al-  
dermen*—1st Ward, J. A. Biby, G. M. Crist; 2d Ward, F. Buehler, R. E. Tate; 3d Ward, George Wright, C. E. Town-  
send. *Clerk*—F. F. Noleman. *Attorney*—G. P. Duncan. *Treasurer*—J. Randall,§ B. Haussler. *Street Commissioner*—C. C. Estes. *Sexton*—T. J. Crittenden. *City Marshal*—J. H. Sturdevant. *Police Magistrates*—E. Probst, J. W. Dick-  
erson. *Board of Education*—President, S. A. Frazier; Sec-  
retary, Geo. Bruenning; Treasurer, E. W. Weldon; W. D. Richardson, W. W. Scott, E. L. Welton.

1890. *Mayor*—H. L. Rhodes. *Aldermen*—1st Ward, G. M. Crist, O. V. Parkinson; 2d Ward, R. E. Tate, G. E. Eis; 3d Ward, C. E. Townsend, R. Barron. *Clerk*—W. F. Bundy. *Attorney*—F. F. Noleman. *Treasurer*—B. Haussler. *Street Commissioner*—C. C. Estes. *Sexton*—T. L. Parkinson. *City Marshal*—W. H. Misenheimer. *Police Magistrates*—E. Probst, J. W. Dickerson. *Board of Education*—President, George Bruenning; Secretary, S. G. Burdick; Treasurer, E. S. Condit, Jr.; W. S. Taylor, W. D. Richardson, W. W. Scott, J. C. Severns.

1891. *Mayor*—Henry L. Rhodes. *Aldermen*—1st Ward, O. V. Parkinson, W. D. Richardson; 2d Ward, G. E. Eis, Geo Pfeiffer; 3d Ward, Robt. Barron, Robt. Rohl. *Clerk*—F. F. Noleman. *Attorney*—W. F. Bundy. *Treasurer*—B. Haussler. *Street Commissioner*—S. C. Kelly. *Sexton*—T. S. Stewart. *City Marshal*—W. H. Misenheimer. *Police Magistrate*—S. Andrews. *Surveyor*—S. G. Burdick. *Board of Education*—President, J. C. Severns; Secretary, W. S. Taylor; Treasurer, E. S. Condit, Jr.; Geo. Bruenning, James B. Sanders, H. M. Condit.

1892. *Mayor*—J. N. Kerr. *Aldermen*—1st Ward, W. D. Richardson, S. A. Frazier; 2d Ward, Geo. Pfeiffer, J. L. Davis; 3d Ward, Robt. Rohl, W. W. Scott. *Clerk*—W. F. Bundy. *Attorney*—F. F. Noleman. *Treasurer*—B. Haussler. *Street Commissioner*—S. C. Kelly\*, R. Barron†. *Sexton*—T. S. Stewart. *City Marshal*—W. H. Misenheimer. *Police Magistrate*—S. Andrews. *Surveyor*—S. G. Burdick. *Board of Education*—President, W. S. Taylor; Secretary, Helen S. Dunn; Treasurer, E. S. Condit, Jr.; J. B. Sanders, John Robertson, H. M. Condit.

1893. *Mayor*—James Benson. *Aldermen*—1st Ward, H. Bibb, S. N. Pierce; 2d Ward, E. D. LeStourgeon, W. D. Richardson; 3d Ward, S. A. Frazier, A. W. Schroeder; 4th Ward, Robt. Rohl, A. M. Seley; 5th Ward, George Pfeiffer, Jacob Grosch. *Clerk*—H. VanCleve. *Attorney*—F. F. Noleman. *Treasurer*—B. Haussler. *Street Commissioner*—R. Barron\*, A. V. Nelson†. *Sexton*—T. S. Stewart. *City Marshal*—W.

H. Misenhimer. *Surveyor*—A. Harding. *Police Magistrate*—S. Andrews. *Board of Education*—President, W. S. Taylor; Secretary, H. M. Condit; Treasurer, E. S. Condit, Jr.; John Robertson, W. P. White, J. L. Davis, W. F. Hahn.

**1894.** *Mayor*—James Benson. *Aldermen*—1st Ward, S. N. Pierce, Henry Bibb; 2d Ward, W. D. Richardson, E. D. LeStourgeon; 3d Ward, A. W. Schroeder, S. A. Frazier; 4th Ward, A. M. Soley, J. Robertson. 5th Ward, Jacob Grosch, G. Pfeiffer. *Clerk*—H. VanCleve. *Attorney*—F. F. Noleman. *Treasurer*—B. Haussler. *Street Commissioner*—E. W. Lapham. *Sexton*—T. S. Stewart. *Collector*—Will Schroeder. *City Marshal*—James A. Jackson. *Police Magistrate*—S. Andrews. *Board of Education*—President, J. G. Munselle; Secretary, W. F. Hahn; Treasurer, E. S. Condit, Jr.; H. M. Condit, W. P. White, J. L. Davis, E. L. Stevenson, W. W. Scott.

**1895.** *Mayor*—J. N. Kerr. *Aldermen*—1st Ward, H. Bibb, L. E. Thomas; 2d Ward, E. D. LeStourgeon, A. C. Thomas; 3d Ward, S. A. Frazier, N. M. Rexford; 4th Ward, J. Robertson, J. H. Oxley; 5th Ward, G. Pfeiffer, J. Winkler. *Clerk*—J. J. Bundy. *Attorney*—F. F. Noleman. *Treasurer*—W. A. Stoker. *Street Commissioner*—Samuel Row. *Sexton*—T. S. Stewart. *City Marshal*—James A. Jackson. *Police Magistrate*—S. Andrews. *Board of Education*—President, A. H. Rainey; Secretary, W. F. Hahn; Treasurer, Zettie Parkinson; W. P. White, J. L. Davis, W. W. Scott; Helen S. Dunn, R. A. Oldham.

**1896.** *Mayor*—J. N. Kerr. *Aldermen*—1st Ward, L. E. Thomas, J. W. Tate; 2d Ward, A. C. Thomas, Jacob Peifer; 3d Ward, N. M. Rexford, J. E. Hefter, Jr.; 4th Ward, J. H. Oxley, W. F. Hahn; 5th Ward, J. Winkler, Geo. Pfeiffer. *Clerk*—J. J. Bundy. *Attorney*—F. F. Noleman. *Treasurer*—W. A. Stoker. *Street Commissioner*—Samuel Row. *Sexton*—T. S. Stewart. *City Marshal*—James A. Jackson. *Police Magistrate*—S. Andrews. *Board of Education*—President, A. H. Rainey; Secretary, Helen S. Dunn; Treasurer, Zettie Parkinson; J. L. Davis, W. W. Scott, R. A. Oldham, Seymour Andrews, Chauncey House.

# CHARTER

—OR THE—

# CITY OF CENTRALIA.

AN ACT TO INCORPORATE THE CITY OF CENTRALIA.

## ARTICLE I.

### OF BOUNDARIES.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:*

That the inhabitants of the town of Centralia, in Marion County, be, and they are hereby constituted a body politic and corporate by the name and style of the CITY OF CENTRALIA, and by that name shall have perpetual succession, may sue and be sued, plead and be impleaded, in all courts of law and equity, and may have and use a common Seal, and alter the same at pleasure.

SEC. 2. All that territory embraced within the following limits, to-wit: The south half of section seven, the southwest quarter of section eight, the west half of section seventeen, all of section eighteen, the north half of section nineteen, and the northwest quarter of section twenty, in town one, north of range one, east of the third principal meridian, shall be, and is hereby declared to be within the limits of the City of Centralia.

SEC. 3. Whenever any tract of land adjoining the City of Centralia shall be laid off into town lots, and duly recorded as required by law, the same shall be annexed to, and form a part of the City of Centralia; and all parcels of land within the boundaries of the city that are in extent five acres and over shall be exempt from taxation for city revenue until the same shall be subdivided into lots of less than five acres; and each lot, when so divided, shall be taxed as other city lots.

SEC. 4. The inhabitants of said city, by the name and style aforesaid, shall have power to sue and be sued, to plead and be impleaded, to defend and be defended, in all courts of law and equity, and in all actions to purchase, receive and hold property, both real and personal, in said city; to purchase, receive and hold property, both real and personal, beyond the city, for burial grounds and for other purposes, for the use of said inhabitants of said city; to sell, lease and convey or dispose of property, and do all other things in relation thereto as natural persons.

## ARTICLE II.

### OF THE CITY COUNCIL.

SECTION. 1. There shall be a City Council, to consist of a Mayor and Board of Aldermen.

SEC. 2. The Board of Aldermen shall consist of two members from each ward, to be chosen by the qualified voters, for two years, and until their successors shall be legally qualified.

SEC. 3. No person shall be an Alderman, unless at the time of his election he shall be a freeholder in said city, and shall have resided within the limits of the city one year immediately preceding his election, and shall have the necessary qualifications to vote for State offices, be a resident of the ward for which he is elected, and a citizen of the United States.

SEC. 4. If any Alderman shall, after his election, remove from the ward for which he was elected, or ceases to be a freeholder in said city, his office shall be declared vacated. The Mayor and Aldermen shall serve without compensation from the city funds, until there shall be five thousand inhabitants in said city; and when the population shall exceed five thousand, the Mayor shall receive such compensation as the City Council shall determine—not to exceed two hundred dollars per annum.

SEC. 5. At the first meeting of the City Council, the Aldermen shall be divided by lot into two classes; the seats of the first class shall be vacated at the expiration of the first year, and of the second class at the expiration of the second year, so that one-half the Board shall be elected annually.

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SEC. 6. The City Council shall judge of the qualifications, elections and returns of their own members, and shall determine all contested elections under this act.

SEC. 7. A majority of the City Council shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members under such penalties as may be prescribed by ordinance.

SEC. 8. The City Council shall have power to determine the rules of its own proceedings, punish its members for disorderly conduct, and with the concurrence of two-thirds of members elected, expel a member.

SEC. 9. The City Council shall keep a journal of its proceedings, and from time to time publish the same; and the yeas and nays, when demanded by any member present, shall be entered upon the journal.

SEC. 10. No Alderman shall be appointed to any office under the authority of the city, that shall have been created, or the emoluments of which have been increased during the time for which he shall have been elected—nor shall he be engaged in any contract with said corporation while serving as Alderman.

SEC. 11. All vacancies that shall occur in the Board of Aldermen shall be filled by election.

SEC. 12. The Mayor and each Alderman, before entering upon the duties of their office, shall take and subscribe an oath, or make affirmation, that they will support the Constitution of the United States and of this State, and that they will well and truly perform the duties of their office according to the best of their skill and ability.

SEC. 13. Whenever there shall be a tie in an election of Aldermen, the judges of election shall certify the fact to the Mayor, who shall determine the same by lot in such manner as shall be provided by ordinance.

SEC. 14. There shall be twelve stated meetings of the City Council in each year, at such times and places as may be prescribed by the City Council.

## ARTICLE III.

## OF THE CHIEF EXECUTIVE OFFICER.

SECTION 1. The chief executive officer of the city shall be a Mayor, who shall be elected by the qualified voters of the city, and hold his office for one year and until his successor shall be elected and qualified.

SEC. 2. No person shall be eligible to the office of Mayor who shall not be a resident of the city for one year next preceding his election, or who shall be under twenty-one years of age, or shall not at the time of his election be a citizen of the United States and a freeholder.

SEC. 3. If any Mayor, during the time for which he shall have been elected, removes from the city, or shall be absent from the city for the space of six months, his office shall be vacated.

SEC. 4. When two or more persons shall have an equal number of votes for Mayor, the judges of election shall certify the same to the City Council, who shall proceed to determine the same by lot, in such manner as may be determined by ordinance.

SEC. 5. Whenever an election of Mayor shall be contested, the City Council shall determine the same, as may be prescribed by ordinance.

SEC. 6. Whenever any vacancy shall happen in the office of Mayor, it shall be filled by election.

## ARTICLE IV.

## OF ELECTIONS.

SECTION 1. On the second Monday of March next, an election shall be held in each ward in said city, for one Mayor, one Marshal, one Street Commissioner, one City Surveyor, one Treasurer, one Assessor, one Police Magistrate, for the city, two Aldermen for each ward; and forever thereafter, on the second Monday of March in each year, there shall be an election for one Mayor, one Marshal, one Street Commissioner, one City Surveyor, one Treasurer and Assessor, for the city, and for one Alderman for each ward.

SEC. 2. A. H. Soley, J. G. Cormick, Wm. O'Melveny, M. C. Kell and Hugh Parkinson shall constitute a Board of Trustees for the said City of Centralia, and, immediately after the adoption of the Charter by the citizens, shall divide the city into three wards, by lines running east and west, describing particularly the boundaries of each ward—the wards to be as nearly equal in proportion as practicable. The said Trustees shall, by ordinance, provide for the first election of all officers to be elected under this act—shall canvass the votes and declare who are duly elected, and make return of the election to the Clerk of the County Court and the Secretary of State, of the election of Mayor and Police Magistrate, in the same manner that returns are made of the election of Justice of the Peace.

SEC. 3. All male inhabitants, over the age of twenty-one years, who are entitled to vote for State officers, and who shall have been actual residents of said city for one year next preceding the election, and who shall have paid such city tax as they may be subject to, shall be entitled to vote for city officers: *Provided*, That said voters shall give their votes in the wards in which they shall respectively reside.

## ARTICLE V.

### OF THE LEGISLATIVE POWER OF THE CITY COUNCIL.

SECTION 1. The City Council shall have power and authority to levy and collect taxes for city purposes upon all property, real and personal, within the city, not exceeding one-fourth of one per cent per annum, upon the assessed valuation thereof: *Provided*, That after three years from the organization of the city a higher tax may be raised, if two-thirds of the voters of the city shall agree thereto, at a special election for that purpose called by the Mayor; and the City Council may enforce the payment of taxes, in any manner prescribed by ordinance, not repugnant to the Constitution of this State, or of the United States.

SEC. 2. The City Council shall have power to appoint a Clerk, City Attorney, and all such other inferior officers as may be necessary.

SEC. 3. The City Council shall have power to require of all officers appointed in pursuance of this charter, bonds with penalty and security for the faithful performance of their respective duties as may be deemed expedient; and also to require all officers appointed as aforesaid to take an oath, or make such affirmation as the City Council may prescribe, for the faithful performance of the duties of their respective offices, before entering upon the discharge of the same; to borrow money on the credit of the city: *Provided*, That no sum or sums of money shall be borrowed at a greater interest than ten per cent. per annum; nor shall any sum or sums be borrowed as aforesaid, until after the subject shall have been submitted to the legal voters in said city, for which purpose a special election shall be called by the Mayor, after giving ten days' notice thereof; and if two-thirds of the legal voters of said city shall vote in favor of such loan, the same may be negotiated, and not otherwise.

SEC. 4. To appropriate money and provide for the payment of the debts and expenses of the city.

SEC. 5. To make regulations to prevent the introduction of contagious diseases into the city, to make quarantine laws for that purpose, and enforce the same within five miles of the city.

SEC. 6. To establish hospitals, and make regulations for the government of the same.

SEC. 7. To make regulations to secure the general health of the inhabitants, to declare what shall be a nuisance, and to prevent and to remove the same.

SEC. 8. To provide the city with water, to erect hydrants and pumps, build cisterns, and dig wells in the streets for the supply of engines and buckets.

SEC. 9. To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve and keep in repair streets, avenues, lanes and alleys, sidewalks, drains and sewers.

SEC. 10. To establish, erect and keep in repair bridges.

SEC. 11. To divide the city into wards, alter the boundaries thereof, and erect additional wards, as the occasion may require.

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SEC. 12. To provide for lighting the streets and erecting lamp posts.

SEC. 13. To establish, support and regulate night watches.

SEC. 14. To erect market houses, to establish market and market places, and provide for the government and regulation thereof.

SEC. 15. To provide for all needful buildings for the use of the city.

SEC. 16. To provide for enclosing, improving and regulating all public grounds belonging to the city.

SEC. 17. To license, tax and regulate auctioneers, merchants, peddlers, retailers, grocers, taverns, ordinaries, hawkers, brokers, pawnbrokers and money changers.

SEC. 18. To license, tax and regulate hackney carriages, wagons, carts and drays, and fix the rates to be charged for the carriage of persons, and for the wagonage, cartage and drayage of property.

SEC. 19. To license and regulate porters, and the rates of portage.

SEC. 20. To license, tax and regulate theatrical and other exhibitions, shows and amusements.

SEC. 21. To restrain, prohibit and suppress tippling houses, dram shops, gambling houses and bawdy houses, and other disorderly houses.

SEC. 22. To provide for the prevention and extinguishment of fires, to organize and establish fire companies.

SEC. 23. To regulate the fixing of chimneys, and to fix the flues thereof.

SEC. 24. To regulate the storage of gunpowder, tar, pitch, rosin and other combustible materials.

SEC. 25. To regulate and order parapet walls and partition fences, and to restrain cattle, sheep and hogs from running at large.

SEC. 26. To establish standard weights and measures and regulate the weights and measures to be used in the city in all cases not otherwise provided for by law, and to order all laws upon the subject to be enforced, and to fix and enforce payment of fines for non-compliance with any such order.

SEC. 27. To provide for the inspection and measuring of lumber and other building materials, and for the measuring of all kinds of mechanical works.

SEC. 28. To provide for the inspection and weighing of hay and stone coal, the measuring of charcoal, fire-wood and other fuel to be sold and used within said city.

SEC. 29. To provide for and regulate the inspection of tobacco, and of beef, pork, flour, meal and whisky in barrels.

SEC. 30. To provide for and regulate the inspection of butter, lard and other provisions.

SEC. 31. To regulate the weight and quality of bread to be sold and used in the city.

SEC. 32. To regulate the size of bricks to be sold and used in the city.

SEC. 33. To provide for taking enumeration of the inhabitants of the city.

SEC. 34. To regulate the election of city officers, and to provide for removing from office any person holding an office created by ordinance.

SEC. 35. To fix the compensation of all city officers, and to regulate the fees of jurors, witnesses and others for services rendered under this act, or any ordinance made in pursuance thereof.

SEC. 36. To regulate the police of the city, to impose fines and forfeitures and penalties for the breach of any ordinance, and to provide for the recovery and appropriation of such fines and forfeitures and enforcement of such penalties; and all moneys collected under, and by authority of any city ordinance, shall be deemed and taken to belong to the city and disposed of by the City Council under the ordinances of said city, for the general use and benefit thereof.

SEC. 37. The City Council shall have exclusive power, within the city, to license or suppress any billiard tables or bowling alleys.

SEC. 38. The City Council shall have power to make all ordinances which shall be necessary and proper for carrying into execution the power specified in this act, so that ordinance be not repugnant to, nor inconsistent with, the Constitution of the United States or of this State.

SEC. 39. The style of the ordinances shall be: "Be it ordained by the City Council of the City of Centralia."

SEC. 40. All ordinances passed by the City Council shall, within one month after they shall have passed, be published in some newspaper in the city, or posted up in three of the most public places in the said City of Centralia, and shall not be in force until they have been published as aforesaid.

SEC. 41. All ordinances of the city may be proven by the seal of the corporation; and when printed in book or pamphlet form, and purporting to be printed and published by authority of the corporation, the same shall be received in evidence in all courts and places without further proof.

## ARTICLE VI.

### OF THE MAYOR.

SECTION 1. The Mayor shall preside at all meetings of the City Council, and in case of a tie, shall have the casting vote, and in no other. In case of non-attendance of the Mayor at any meeting, the Board of Aldermen shall appoint one of their own number chairman, who shall preside at the meeting, but shall not thereby lose his right to vote on any question before the Board.

SEC. 2. The Mayor or any two Aldermen may call special meetings of the City Council.

SEC. 3. The Mayor shall at all times be vigilant and active in enforcing the laws and ordinances for the government of the city; he shall inspect the conduct of all the subordinate officers of said city, and cause negligence and positive violation to be prosecuted and punished; he shall from time to time communicate to

the Aldermen such information and recommend all such measures as in his opinion may tend to the improvement of the finances, the police, the health, security, comfort and ornament of the city.

SEC. 4. He is hereby authorized to call on every male inhabitant of said city over the age of eighteen years, to aid in enforcing the laws and ordinances, and, in case of riots, to call out the militia to aid him in suppressing the same or other disorderly conduct, preventing and extinguishing fires, for securing the peace and safety of the city, or in carrying into effect any law or ordinance; and any person who shall not obey such call shall forfeit to said city a fine not exceeding five dollars.

SEC. 5. He shall have power, whenever he shall deem it necessary, to require of any of the officers of said city an exhibit of his books and papers.

SEC. 6. He shall have power to execute all acts that may be required of him by any ordinance made in pursuance of this act.

SEC. 7. He shall also have such jurisdiction as may be vested in him by the ordinances of the city, in and over all places within five miles of the boundaries of the city, for the purpose of enforcing the health and quarantine regulations thereof.

SEC. 8. He shall receive for his services outside of the city, such salary as shall be fixed by the ordinance of city.

SEC. 9. In case the Mayor shall, at any time, be guilty of a palpable omission of duty, or shall willfully and corruptly be guilty of oppression, malconduct, or partiality in the discharge of the duties of his office, he shall be liable to be indicted in the Circuit Court of Marion County, and, on conviction, he shall be fined not exceeding two hundred dollars; and the Court shall have power, on recommendation of the jury, to add to the judgment of the Court, that he be removed from office.

## ARTICLE VII.

### OF PROCEEDINGS IN SPECIAL CASES.

SECTION 1. When it shall be necessary to take private property for opening, widening or altering any public street, lane,

avenue or alley, the corporation shall make just compensation to the person whose property is so taken; and if the amount of said compensation cannot be agreed upon, the Mayor shall cause the same to be ascertained by a jury of six disinterested free-holders of the city.

SEC. 2. When the owners of all the property on the street, lane, avenue or alley, proposed to be opened, widened or altered, shall petition therefor, the City Council may open, widen or alter such street, lane, avenue or alley, upon condition to be prescribed by ordinance; but no compensation in such case shall be made to those whose property shall be taken—their tenants or others—for the opening, widening or altering such street, lane, avenue or alley; nor shall there be any assessments of benefits or damages that may accrue thereby to any of the petitioners.

SEC. 3. All jurors impaneled to inquire into the amount of benefits or damages which shall happen to the owners of property proposed to be taken for opening, widening or altering any street, lane, avenue or alley, shall first be sworn to that effect, and shall return to the Mayor their inquest in writing, and signed by each juror.

SEC. 4. In ascertaining the amount of compensation for property taken for opening, widening or altering any street, lane, avenue or alley, the jury shall take into consideration the benefit as well as the injury happening by any such opening, widening or altering such street, lane, avenue or alley.

SEC. 5. The Mayor shall have power, for good cause shown, within ten days after an inquest shall have been returned to him as aforesaid, to set the same aside and cause a new inquest to be made.

SEC. 6. Upon a petition of two-thirds of the property holders, the City Council shall have power by ordinance, to levy and collect a special tax on the holders of lots in any street, lane, avenue or alley, according to their respective fronts owned by them, for the purpose of draining, grading, or planking sidewalks, and lighting such street, lane, avenue or alley: *Provided*, Said

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tax shall not exceed in amount the cost of said sidewalks and lighting respectively—which tax shall be collected in the same manner as other city taxes.

## ARTICLE VIII.

### MISCELLANEOUS PROVISIONS.

SECTION 1. The City Council shall have power, for the purpose of keeping the streets, lanes, avenues and alleys in repair, to require every able-bodied male inhabitant in the city, over twenty-one years of age, to labor on said streets, lanes, avenues and alleys, not exceeding three days in each year; and any person failing to perform such labor, when duly notified by the Street Commissioner, shall forfeit and pay one dollar for each day so neglected or refused.

SEC. 2. The inhabitants of the City of Centralia are hereby exempted from working on any road beyond the limits of the city, and from paying any tax to procure laborers to work upon the same.

SEC. 3. The City Council shall have power to provide for the punishment of offenders by imprisonment in the city or county jail, in all cases when such offenders shall fail or refuse to pay the fines and forfeitures which may be recovered against them.

SEC. 4. The City Council shall cause to be published annually, a full and complete statement of all moneys received and expended by the corporation during the preceding year, and on what account received and expended.

SEC. 5. Appeals shall be allowed from decisions in all cases arising under the provisions of this act, or any ordinance passed in pursuance thereof, to the County or Circuit Court, as the case may be, of said County of Marion; and every such appeal shall be granted in the same manner and with like effects as appeals are taken from and granted by Justices of the Peace to the Circuit Court under the laws of this State.

SEC. 6. Whenever the Mayor shall absent himself from the city, or resign, or die, or his office shall be otherwise vacated, the Board of Aldermen shall immediately proceed to elect one of their number as President, who shall be Mayor pro tem., until the office shall be filled by election as herein provided.

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SEC. 7. This act is hereby declared to be a public act, and may be read in evidence in all courts of law or equity within this State, without proof.

SEC. 8. All acts or parts of acts, coming within the provisions of this charter, or contrary to, or inconsistent with its provisions, are hereby repealed.

SEC. 9. The City Marshal, or any other officer authorized to execute writs, or any other process issued by any judicial officer in said city, shall have power to execute the same anywhere within the County of Marion, and shall be entitled to the same fees for traveling as are allowed to Constables in similar cases. The said City Marshal, by virtue of his office, shall be a Constable of Marion County, with power to serve process, and do all other acts that a Constable may lawfully do, and shall receive the same fees as are allowed to other Constables by law; shall hold the office for one year, and shall give bond as other Constables are required by law to give, which bond shall be filed in the office of the County Clerk.

SEC. 10. The Trustees named herein shall, immediately after the passage of this act, take measures to promulgate this law within the limits of the City of Centralia, and issue their proclamation for an election to be held in said town at least ten days prior to the election for city officers, at which election the inhabitants residing within the territory described in the second section of the first article of this act, who are authorized to vote for State officers, shall vote "For the Charter," or "Against the Charter;" and if a majority of the votes given at such election shall be for the Charter, this act shall immediately take effect as a law, and the Trustees shall proceed as directed in article four of this Charter; but if a majority of the votes shall be against the Charter, then this act shall be of no effect.

SEC. 11. The members of the City Council shall be ex-officio fire wardens and conservators of the peace within the city, and are hereby authorized and it is made their duty to arrest all persons who are violating or have violated any ordinance of the city, or any law of the State, with or without process, and have them prosecuted therefor; and any person or persons who shall

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willfully interrupt or oppose them in the discharge of the requirement hereof, shall be subject to the same penalties as though they had opposed or interrupted a Marshal, Sheriff, or Constable in the legal discharge of their duties. They shall, moreover, be exempt from jury duty and street labor, or the payment of street taxes during their term of office.

SEC. 12. There shall be elected at the first election for city officers, and every four years thereafter, one Police Magistrate, who shall hold his office for the term of four years, and until his successor shall be elected and qualified. The Mayor of the city, ex-officio, and the said Police Magistrate shall have in their county, the same jurisdiction, powers and emoluments as Justices of the Peace in this State, with this addition—that their jurisdiction shall extend to all cases where the plaintiff's demand shall not exceed the sum of two hundred and fifty dollars. The Governor shall commission the said Mayor and the said Police Magistrate; and each one shall execute and deliver unto the City Clerk within twenty days after his election, a bond, to be approved by said Clerk, with one or more good and sufficient securities, in the sum of not less than two thousand dollars, conditioned that he will justly and fairly account for and pay over all money that may come into his hands, under any judgment, or otherwise, by virtue of his said office, and that he will well and truly perform every act and duty enjoined on him by this Charter, or the laws of this State, to the best of his skill and abilities. Said bond shall be made payable to the City Council of the City of Centralia, for the use of the people of the State of Illinois, and be held for the security for the benefit of all suitors and others who may be aggrieved or injured by the magisterial acts or misconduct of said Police Magistrate, or of said Mayor while acting as a Police Magistrate. Change of venue may in all cases be taken from one Police Magistrate to another, and the practice and usages of the same shall be as in the Justice's Court.

SEC. 13. No provision of this act shall be so construed as to authorize the sale of ardent spirits in less quantity than now provided by law, unless licensed so to do by the City Council.

SEC. 14. This act to take effect and be in force from and after its passage.

## PROCLAMATION.

There will be an election held in Centralia, at N. D. Ingraham's office, on Tuesday, the 1st day of March, 1859, to vote for or against the City Charter.

A. H. SELEY,  
J. G. CORMICK,  
Wm. O'MELVENY,  
M. C. KELL,  
H. PARKINSON,  
Trustees.

## Amendment to the Charter of the City of Centralia.

AN ACT PROVIDING FOR AN ADDITIONAL POLICE MAGISTRATE FOR THE CITY OF CENTRALIA.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the City of Centralia, in the County of Marion and State of Illinois, shall be entitled to elect one Police Magistrate in addition to the one provided for in the act incorporating said city. Said additional Police Magistrate shall be elected at the next annual election of said city, and shall have the same jurisdiction and hold his office and be commissioned as is now required for the election and qualification of Police Magistrate of said city.

SEC. 2. The Police Magistrates of said city shall be ex-officio Justices of the Peace of said County of Marion, and shall have jurisdiction over the same matters and receive the same fees as are prescribed by law for other Justices of the Peace; but the extent of said jurisdiction as to the amount in controversy, shall be governed by the act incorporating said city.

SEC. 3. All parts and portions of the act entitled "An act to incorporate the City of Centralia," approved February 18th, 1859, inconsistent with this act, are hereby repealed.

This act shall take effect and be in force from and after its passage.

Approved February 22, 1861.

## Amendment to the Charter of the City of Centralia.

### AN ACT TO AMEND THE CHARTER OF THE CITY OF CENTRALIA.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section four of article two be amended by striking out "five thousand" and inserting "three thousand."

SEC. 2. Section three of article four is hereby amended by striking out "one year" and inserting "six months."

SEC. 3. Section one of article five is hereby amended by striking out the words "one-fourth," so as to read "not to exceed one per cent per annum upon the assessed value thereof."

SEC. 4. Section twelve of article eight is hereby amended by striking out "two hundred and fifty" and inserting "five hundred."

Approved February 16, 1865.

# STATUTES

—RELATING TO THE—

## GOVERNMENT OF THE CITY OF CENTRALIA

AN ACT TO PROVIDE FOR THE INCORPORATION OF CITIES AND VILLAGES. [IN FORCE JULY 1, 1872, AND THE AMENDMENTS THERETO.]

Adopted by the City of Centralia, at an election held February 13, 1893, and declared by the City Council March 7, 1893.

*Be it enacted by the People of the State of Illinois, represented in the General Assembly, as follows:*

### ARTICLE I.

#### THE ORGANIZATION OF CITIES.

**1. How City may be Incorporated under this Act.]** § 1. That any city now existing in this State may become incorporated under this act in the manner following: Whenever one-eighth of the legal voters of such city voting at the last preceding municipal election shall petition the Mayor and Council thereof to submit the question as to whether such city shall become incorporated under this act to a vote of the electors in such city, it shall be the duty of such Mayor and Council to submit such question to a vote of the electors of said city at the next ensuing municipal election of said city, or at a special election, to be designated by them, and to give the notice required by law.

**2. Notice of Election.]** § 2. The Mayor of such city shall give at least thirty days' notice of such election, by publishing a notice thereof in one or more newspapers within such city; but if no newspaper is published therein, then by posting at least five copies of such notice in each ward.

**3. The Ballots — Result.]** § 3. The ballots to be used at such election shall be in the following form: "For city organization under general law," or "Against city organization under general law." The judges of such election shall make returns thereof to the City Council, whose duty it shall be to canvass such returns and cause the result of such canvass to be entered on the records of such city. If a majority of the votes cast at such election shall be for city organization under general law, such city shall thenceforth be deemed to be organized under this act; and the city officers then in office shall thereupon exercise the powers conferred upon like officers in this act, until their successors shall be elected and qualified.

**4. How Towns may Become Cities.]** § 4. Any incorporated town or village in this State, having a population of not less than one thousand (1,000) inhabitants, may become incorporated as a city in like manner as hereinbefore provided; but in all such cases the President and Trustees of such town or village shall, respectively, perform the same duties relative to such change of organization as is above required to be performed by the Mayor and Council of cities.

**5. Organizing a City—Petition—Election—Result.]** § 5. Whenever an area of contiguous territory in this State, not exceeding four square miles, shall have resident thereon a population of not less than one thousand inhabitants, which shall not already be included within any incorporated town or city, the same may become incorporated as a city in manner following: Any fifty legal voters thereof may file in the office of the clerk of the County Court of the county in which such inhabitants reside, a petition, addressed to the judge of such court; and if the territory described in said petition shall be in more than one county, then the petition shall be addressed to the judge of the court where the greater part of such territory is situated; which petition shall define the boundaries of such proposed city, and state the number of inhabitants residing within such limits, and also state the name of such proposed city, and shall contain a prayer that the question be submitted to the legal voters residing within such limits, whether they will organize as a city under

this act. It shall be the duty of the County Judge to fix a time and place, within the boundaries of such proposed city, at which an election may be held to determine such question; and such judge shall name the persons to act as judges in holding such election, and shall give notice thereof by causing ten notices to be posted in public places within such proposed city. And the third section of this article shall be applicable to such election: *Provided*, that the returns of such election shall be made to and canvassed by the County Judge and any two Justices of the Peace whom he shall call to his assistance, instead of the City Council; and the result of such election shall be entered upon the records of such County Court. If a majority of the votes cast at such election shall be "For city organization under general law," the inhabitants of such territory described in such petition shall be deemed to be incorporated as a city, under this act, and with the name stated in such petition.

**6. Courts to take Judicial Notice of Organization, etc.]**

§ 6. All courts in this State shall take judicial notice of the existence of all villages and cities organized under this act, and of the change of the organization of any town or city from its original organization to its organization under this act; and from the time of such organization, or change of organization, the provisions of this act shall be applicable to such cities and villages, and all laws in conflict therewith shall no longer be applicable. But all laws or parts of laws not inconsistent with the provisions of this act shall continue in force and applicable to any such city or village the same as if such change of organization had not taken place.

**7. Election of Officers.]** § 7. It shall be the duty of the President and Board of Trustees of any town which shall have voted to change its organization to a city, under this act, to call and give notice of an election to elect city officers, and to designate the time and place or places of holding the same. Such notice shall be published in a newspaper, if there be one within the town, or posted in ten public places, for at least twenty days before such election. Such President and Trustees shall appoint the judges and clerks to hold such election, canvass the returns

thereof, and cause the result to be entered upon the records of the town; and the provisions of this act relative to the election of city officers shall be applicable thereto; but, at such election, Aldermen may be elected on a general ticket.

**8. When County Judge to give Notice of Election, etc.]**

§ 8. In case of cities organizing under section five (5) of this article, the County Judge shall call and give notice of the election, and perform the same duties relative thereto as is above required to be performed by President and Trustees of such town, and in canvassing such returns; shall call to his assistance two Justices of the Peace.

**9. Term of First Officers.]** § 9. The city officers elected under either of the preceding sections shall hold their respective offices until the next succeeding regular election for such officers, respectively, and until their successors are elected and qualified, as provided in this act.

**10. Corporate Name—Powers.]** § 10. Cities organized under this act shall be bodies politic and corporate, under the name and style of "City of (name)," and under such name may sue and be sued, contract and be contracted with, acquire and hold real and personal property for corporate purposes, have a common seal, and change the same at pleasure, and exercise all the powers hereinafter conferred.

**11. Prior Ordinances, etc., in force until, etc.]** § 11. All ordinances, resolutions and by-laws, in force in any city or town when it shall organize under this act, shall continue in full force and effect until repealed or amended, notwithstanding such change of organization; and the making of such change of organization shall not be construed to effect a change in the legal identity, as a corporation, of such city or town.

**12. Rights, etc., of Old Corporation to vest in New.]** §

12. All rights and property of every kind and description, which were vested in any municipal corporation under its former organization, shall be deemed and held to be vested in the same municipal incorporation upon its becoming incorporated under the provisions of this act; but no rights or liabilities, either in

favor or against such corporation, existing at the time of so becoming incorporated under this act, and no suit or prosecution of any kind, shall be affected by such change, but the same shall stand and progress as if no change had been made: *Provided*, that when a different remedy is given by this act, which may properly be made applicable to any right existing at the time of such city so becoming incorporated under this act, the same shall be deemed cumulative to the remedies before provided, and used accordingly.

**13. Record of Result of Election.]** § 13. The corporate authorities of any city or village which may become organized under this act, shall within three (3) months after organization hereunder, cause to be filed in the office of the Recorder of Deeds of the county in which such city or village is situated, a certified copy of the record of the County Court or of the city or village in the matter of such organization, showing the canvass of the votes and the result of the election whereby such city or village became so organized, and the Recorder of Deeds shall record the same. And upon such record having been duly recorded by the Recorder of Deeds aforesaid, he shall immediately transmit the same to the Secretary of State, together with his certificate of such recordation endorsed thereon or annexed thereto, and it appearing from the recitals in said record that the provisions of this act have been duly complied with, the Secretary of State shall file the same and charter said village or city by his certificate duly authenticated under his hand and the great seal of State. The Secretary of State shall keep a register of cities and villages organized under the provisions of this act.

**14. City Register's office Abolished.]** § 14. If any city organized, or which may hereafter organize, under this act, shall have had by the terms and provisions of its special charter, a City Register's office or other office in which deeds, mortgages or other instruments were required or authorized by law to be recorded in lieu of recording the same in the Recorder's office in the county where said city was situated, such City Register's office or Recorder's office shall be discontinued under this act, and the City Register or Recorder or other officer having the

custody of the records, books and papers pertaining to such City Register or Recorder's office, shall deposit such records and books and papers in the office of the Recorder of Deeds of the county in which such city is situated, and shall take the receipt of the Recorder of Deeds therefor, and such records and books and papers shall from thereafter be deemed and held for all purposes a part of the records of the Recorder's office of such county, and shall have like legal effect as if the same had been originally a part of the records of such County Recorder's office, for all purposes whatsoever, and the same, or certified transcripts made therefrom, shall have like force and effect as evidence as other records of said Recorder's office.

## ARTICLE II.

### OF THE MAYOR.

**15. Mayor—his Qualifications.]** § 1. The chief executive officer of a city shall be a Mayor, who shall be a citizen of the United States, a qualified elector, reside within the city limits, and hold his office for two years, and until his successor is elected and qualified.

**16. Vacancy, one year or over.]** § 2. Whenever a vacancy shall happen in the office of the Mayor, when the unexpired term shall be one year or over from the date when the vacancy occurs, it shall be filled by an election.

**17. Vacancy less than year.]** § 3. If the vacancy is less than one year the City Council shall elect one of its number to act as Mayor, who shall possess all the rights and powers of the Mayor until the next annual election, and until his successor is elected and qualified.

**18. Mayor pro tem.]** § 4. During a temporary absence or disability of the Mayor, the Council shall elect one of its number to act as Mayor *pro tem*, who, during such absence or disability, shall possess the powers of Mayor.

**19. Vacancy by Removal from City.]** § 5. If the Mayor, at any time during the term of his office, shall remove from the limits of the city, his office shall thereby become vacated.

**20. Mayor to Preside—Casting Vote.]** § 6. The Mayor shall preside at all meetings of the City Council, but shall not vote except in case of a tie, when he shall give the casting vote.

**21. When he may Remove Officers.]** § 7. The Mayor shall have power to remove any officer appointed by him on any formal charge, whenever he shall be of the opinion that the interests of the city demand such removal, but he shall report the reasons for such removal to the Council at a meeting to be held not less than five days nor more than ten days after such removal; and if the Mayor shall fail, or refuse to file with the City Clerk a statement of the reasons for such removal, or if the Council, by a two-third ( $\frac{2}{3}$ ) vote of all its members authorized by law to be elected, by yeas and nays to be entered upon its record, disapprove of such removal, such officer shall thereupon become restored to the office from which he was so removed; but he shall give new bonds and take a new oath of office. No officer shall be removed a second time for the same offense.

**22. His Power to Keep Peace.]** § 8. He may exercise, within the city limits, the powers conferred upon Sheriffs to suppress disorders and keep the peace.

**23. Release of Prisoners.]** § 9. He may release any person imprisoned for violation of any city ordinance, and shall report such release, with the cause thereof, to the Council at its first session thereafter.

**24. General Duties.]** § 10. He shall perform all such duties as are or may be prescribed by law or by the city ordinances, and shall take care that the laws and ordinances are faithfully executed.

**25. Power to Examine Records, etc.]** § 11. He shall have power at all times to examine and inspect the books, records and papers of any agent, employe or officer of the city.

**26. Messages to Council.]** § 12. The Mayor shall, annually, and from time to time, give the Council information relative to the affairs of the city, and shall recommend for their consideration such measures as he may deem expedient.

**27. To Call out Militia, etc.—Riots, etc.]** § 13. He shall have power, when necessary, to call out every male inhabitant of the city, over the age of eighteen years, to aid in enforcing the laws and ordinances, and to call out the militia to aid in suppressing riots and other disorderly conduct, or carrying into effect, any law or ordinance, subject to the authority of the Governor, as commander-in-chief of the militia.

**28. Misconduct, etc., of Mayor or other Officer—Penalty.]** § 14. In case the Mayor or any other municipal officer shall, at any time, be guilty of a palpable omission of duty, or shall willfully and corruptly be guilty of oppression, misconduct or misfeasance in the discharge of the duties of his office, he shall be liable to indictment in any court of competent jurisdiction, and, on conviction, shall be fined in a sum not exceeding \$1,000; and the court in which such conviction shall be had shall enter an order removing such officer from office.

**29. Revising Ordinances after Change of Organization.]** § 15. He may appoint, by and with the advice and consent of the City Council, immediately after such change of organization, one or more competent persons to prepare and submit to the City Council, for their adoption or rejection, an ordinance in revision of the ordinances of such city, and for the government of such city, the compensation of such reviser or revisers to be determined and fixed by the City Council and paid out of the city treasury.

### ARTICLE III.

#### OF THE CITY COUNCIL..

**30. Council—how Composed.]** § 1. The City Council shall consist of the Mayor and Aldermen.

**31. Number of Aldermen.]** § 2. The number of Aldermen, when not elected by the minority representation plan, shall be as follows: In cities not exceeding 3,000 inhabitants, six Aldermen; exceeding 3,000 but not exceeding 5,000, eight Aldermen; exceeding 5,000 and not exceeding 10,000, ten Aldermen; exceeding 10,000 and not exceeding 30,000, fourteen Aldermen; and two additional Aldermen for every 20,000 inhabitants over

30,000: *Provided, however,* that in cities of over 350,000 inhabitants there shall be elected forty-eight Aldermen and no more, unless additional territory shall be annexed to such city, after such city shall have been divided into wards on the basis of forty-eight Aldermen, in which case and as often as new territory shall be annexed to such city, as aforesaid, containing three or more square miles of territory, or 15,000 inhabitants and not exceeding 25,000 inhabitants, such annexed territory shall constitute a ward of such city, and the City Council of such city shall authorize the legal voters of such annexed territory to elect two Aldermen from such ward, in such annexed territory, which said Aldermen in such annexed territory shall be additional to said forty-eight Aldermen, and who shall possess all the qualifications of and be elected at the time and in the manner provided in the said act, of which this is an amendment: *Provided,* that if said annexed territory shall contain more than 25,000 inhabitants, then the City Council shall authorize the legal voters of such annexed territory to elect two Aldermen for every 25,000 inhabitants thereof, and two additional Aldermen for every fraction of 15,000 inhabitants or more, the number of inhabitants to be determined by the last preceding National, State or school census of such annexed territory: And if any such annexed territory has less than 15,000 inhabitants, and less than three square miles in extent, then the City Council shall annex it to any ward or wards which it adjoins: *Provided, further,* that when the number of Aldermen in any such city shall reach seventy by reason of such annexed territory, the City Council shall redistrict said city into thirty-five new wards and no more; and when said number of Aldermen shall reach seventy, if any new territory is thereafter annexed which shall contain 25,000 inhabitants or more, as determined by the last preceding National, State or school census authorized by law to be taken, then said City Council shall redistrict said city into thirty-five wards: *Provided, further,* that whenever after such new territory shall have been annexed, as aforesaid, said city shall be redistricted, the number of wards at the time said city is redistricted shall be preserved, and the City Council thereof may, at its discretion, change the boundary between such new ward

and the original territory of the city, and make said new ward larger or smaller, to comply with the requirements of said act as to compactness and equality of inhabitants: *And, provided, further*, if it shall appear from any census heretofore or hereafter taken, that any city has the requisite number of inhabitants to authorize it to increase the number of Aldermen, it shall be the duty of the City Council therof to proceed without delay and redistrict such city in accordance with the provisions hereof, and to call and hold its next city election in accordance with such new redistricting; *Provided*, that at such election the Aldermen who hold over shall be considered Aldermen for the new wards respectively in which their residence shall be, unless there shall be two or more Aldermen who hold over in the same ward under this proviso, then in such case it shall be determined by lot in presence of the City Council in such manner as they shall direct, which Alderman shall hold over for such ward.

**32. Term of Office.]** § 3. Aldermen shall hold their office for the term of two years, and until their successors are elected and qualified.

**33. Vacancy.]** § 4. If any vacancy shall occur in the office of Alderman by death, resignation or removal, such vacancy shall be filled by election.

**34. Qualification of Aldermen.]** § 5. No person shall be eligible to the office of Alderman unless he shall be a qualified elector, and reside within the ward for which he was elected, nor shall he be eligible if he is in arrears in the payment of any tax or other liability due to the city; nor shall he be directly or indirectly interested in any contract whatever to which the city is a party; nor shall he be eligible if he shall have been convicted of malfeasance, bribery, or other corrupt practices or crimes; nor shall he be eligible to any office the salary of which is payable out of the city treasury, if at the time of his appointment he shall be a member of the City Council; nor shall any member of the City Council at the same time hold any other office under the city government; nor shall he be either directly or indirectly, individually, or as a member of a firm, engaged in any business transaction (other than official) with such city, through its Mayor

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or any of its authorized boards, agents or attorneys, whereby any money is to be paid, directly or indirectly, out of the city treasury to such member or firms.

**35. Council Judge of its Members.]** § 6. The City Council shall be judge of the election and qualification of its own members.

**36. Rules—Expulsion—Bribery.]** § 7. It shall determine its own rules of proceeding, punish its members for disorderly conduct, and with the concurrence of two-thirds of the Aldermen elect, may expel a member, but not a second time for the same offense; *Provided*, that any Alderman or Councilman who shall have been convicted of bribery, shall thereby be deemed to have vacated his office.

**37. Quorum—Compelling Attendance.]** § 8. A majority of the Aldermen shall constitute a quorum for to do business, but a smaller number may adjourn from time to time, and may compel the attendance of absentees, under such penalties as may be prescribed by ordinance.

**38 Meetings.]** § 9. The City Council may prescribe, by ordinance, the times and places of the meeting thereof, and the manner in which special meetings thereof may be called.

**39. Chairman pro tem.]** § 10. It may elect a temporary chairman in the absence of the Mayor.

**40. Open Doors.]** § 11. It shall sit with open doors.

**41. Journal.]** § 12. It shall keep a journal of its own proceedings.

**42. Yeas and Nays—Record—Vote Required.]** § 13. The yeas and nays shall be taken upon the passage of all ordinances, and on all propositions to create any liability against the city, or for the expenditure or appropriation of its money, and in all other cases at the request of any member, which shall be entered on the journal of its proceedings; and the concurrence of a majority of all the members elected in the City Council shall be necessary to the passage of any such ordinance or proposition: *Provided*, it shall require two-thirds of all the Aldermen elect to sell any city or school property.

**43. Not to Rescind Vote at Special Meeting unless, etc.]**

§ 14. No vote of the City Council shall be reconsidered at a special meeting, unless at such special meeting there be present as large a number of Aldermen as were present when such vote was taken.

**44. When Report Laid Over.] § 15.**

Any report of a committee of the Council shall be deferred, for final action thereon, to the next regular meeting of the same after the report is made, upon the request of any two Aldermen present.

**45. Territorial Jurisdiction.] § 16.**

The City Council and Board of Trustees shall also have jurisdiction in and over places within one-half mile of the city or village limits, for all the purposes of enforcing health and quarantine ordinances and regulations thereof.

**46. Special Meetings.] § 17.**

The Mayor, or any three Aldermen, may call special meetings of the City Council.

**47. Ordinances—Approval—Veto.] § 18.**

All ordinances passed by the City Council shall, before they take effect, be deposited in the office of the City Clerk; and if the Mayor approves thereof, he shall sign the same, and such as he shall not approve he shall return to the Council, with his objections thereto, in writing, at the next regular meeting of the Council occurring not less than five days after the passage thereof. Such veto may extend to any one or more items or appropriations contained in any ordinance making an appropriation, or to the entire ordinance; and in case the veto only extends to a part of such ordinance, the residue thereof shall take effect and be in force. But in case the Mayor shall fail to return any ordinance, with his objections thereto, by the time aforesaid, he shall be deemed to have approved such ordinance, and the same shall take effect accordingly.

**48. Reconsideration—Passing over Veto,] § 19.**

Upon the return of any ordinance by the Mayor, the vote by which the same was passed shall be reconsidered by the Council; and if, after such reconsideration, two-thirds of all the members elected to the City Council shall agree, by yeas and nays, to pass the

same, it shall go into effect, notwithstanding the Mayor may refuse to approve thereof. The vote to pass the same over the Mayor's veto shall be taken by yeas and nays, and entered on the journal.

#### ARTICLE IV.

##### ELECTIONS.

**49. Annual Election.]** § 1. A general election for city officers shall be held on the third Tuesday of April of each year: *Provided*, that in cities which include wholly within their corporate limits a town or towns, such elections shall be held on the first Tuesday of April.

**50. Election of Mayor, City Clerk, Attorney and Treasurer.]** § 2. At the general election held in 1877, and biennially thereafter, a Mayor, a City Clerk, a City Attorney and a City Treasurer, shall be elected in each city: *Provided*, that no person shall be elected to the office of City Treasurer for two terms in succession.

**51. Who Entitled to Vote.]** § 3. All persons entitled to vote at any general election for State officers within any city or village, having resided therein thirty days next preceding thereto, may vote at any election for city or village officers.

**52. Wards.]** § 4. The City Council of any city in this State, whether organized under this act or under any special law of this State, may, from time to time, divide the city into one-half as many wards as the total number of Aldermen to which the city is entitled; and one Alderman shall, annually, be elected in and for each ward, to hold his office for two years, and until his successor is elected and qualified. In the formation of wards the population of each shall be as nearly equal, and the ward shall be of as compact and contiguous territory, as practicable.

**53. Aldermen at First Election—Classified.]** § 5. At the first election under this act, there shall be elected the full number of Aldermen to which the city shall be entitled. At the first meeting of the City Council after such election, the Aldermen elected shall be divided, by lot, into two classes: those of the first class shall continue in office for one year, and those of the

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second for two years. And upon any increase of the number of Aldermen, at their first election, one-half shall be elected for one year, and one-half for two years.

**54. Minority Representation.]** § 6. Whenever this act shall be submitted to the qualified electors of any city for adoption, there shall be submitted at the same time, for adoption or rejection, the question of minority representation in the City Council or legislative authority of such city. At the said election the ballot shall be in the following form: "For minority representation in the City Council," or "Against minority representation in the City Council," and at any subsequent time, on petition of the legal voters equal in number to one-eighth the number of legal votes cast at the next preceding general city election the City Council shall cause the question of minority representation to be submitted to the legal voters of said city, and the ballots shall be in form as provided in this section: *Provided*, that no such question of representation shall be submitted more than once in every two years. The judges of such election shall make returns thereof to the City Council, whose duty it shall be to canvass such returns, and cause the result of such canvass to be entered on the records of such city. If a majority of the votes cast at such election shall be for equal representation in the City Council, then members of the City Council or legislative authority of such city shall be thereafter elected in the following manner: The Council or legislative authority of such city, at least one month before the general election in the year in which this act shall take effect in such city, shall apportion such city, by dividing the population thereof as ascertained by the last federal census, by any number not less than two nor more than six, and the quotient shall be the ratio of representation in the City Council. Districts shall be formed of contiguous and compact territory, and contain, as near as practicable, an equal number of inhabitants: *And, provided, further*, that where said Council or legislative authority of such city have not fixed a ratio of representation and formed the districts or wards at the time above specified, the same may be done by any subsequent Board of Aldermen; but all official acts heretofore done, and ordinances heretofore passed by any Board of Aldermen elected

at large by the legal electors of any such city on the minority representation plan, shall be held and taken by all courts in this State to be of as much validity and binding force as if they had been elected from wards or districts.

**55. Aldermen Under Minority Plan.]** § 7. Every such district shall be entitled to three Aldermen, who shall hold their office for two years, and until their successors shall be elected and qualified. At the first general election for Mayor, after the passage of this act, and every two years thereafter, there shall be elected in each ward as many Aldermen as such ward shall be entitled to: *Provided*, that Aldermen elected under this act, in wards wherein Aldermen were elected for two years at [the] last previous annual election, shall not take their seats as such until the terms of the Aldermen last aforesaid shall expire. Vacancies shall be filled at an election to be held by the voters of the district in which such vacancies shall occur, at the time to be designated by the City Council. In all elections for Aldermen aforesaid, each qualified voter may cast as many votes as there are Aldermen to be elected in his district, or may distribute the same, or equal parts thereof, among the candidates, as he shall see fit, and the candidate highest in vote shall be declared elected.

**56. Aldermen when Minority Plan Not Adopted.]** § 8. If a majority of the votes cast at such election shall be "Against minority representation in the City Council," the preceding section shall be null and void, so far as it relates to such city at such election; and the Aldermen of such city shall be elected as otherwise provided for in this act.

**57. Place of Election—Notice.]** § 9. The City Council shall designate the place or places in which the election shall be held, and appoint the judges and clerks thereof, and cause notice to be printed in some newspaper published in such city, if there be one, or posted at each voting place in such city, of the time, places of election, and of the officers to be elected, for at least twenty days prior to such election.

**58. Manner of Conducting Elections, etc.]** § 10. The manner of conducting and voting at elections to be held under this act, and contesting the same, the keeping of poll lists and

canvassing the votes, shall be the same, as nearly as may be, as in the case of the election of county officers, under the general laws of this State. The judges of election shall appoint clerks, when necessary to fill vacancies, and the judges and clerks shall take the same oath and have the same powers and authority as the judges and clerks of general State elections. After the closing of the polls, the ballots shall be counted and the returns made out and returned, under seal, to the City or Village Clerk, as the case may be, within two days after the election; and, thereupon, the City Council or Board of Trustees, as the case may be, shall examine and canvass the same, and declare the result of the election, and cause a statement thereof to be entered upon its journals.

**59. Result—Tie.]** § 11. The person having the highest numbers of votes, for any office, shall be declared elected. In case of a tie in the election of any city or village officer, it shall be determined by lot, in the presence of the City Council or Board of Trustees, in such manner as they shall direct, which candidate or candidates shall hold the office.

**60. Notice to Persons Elected or Appointed.]** § 12. It shall be the duty of the Village or City Clerk, within five days after the result of the election is declared or appointment is made, to notify all persons elected or appointed to office of their election or appointment, and unless such persons shall respectively qualify in ten days after such notice, the office shall become vacant.

**61. When no Quorum in Office—Special Election.]** § 13. If for any cause, there shall not be a quorum in office of the City Council or Board of Trustees, the Mayor, the Clerk, or any Alderman or Trustee, as the case may be, may appoint the time and place for holding a special election to supply such vacancy, and give notice and appoint the judges thereof.

**62. Special Election.]** § 14. If there is a failure to elect any officer herein required to be elected, or the person elected should fail to qualify, the City Council or Board of Trustees may forthwith order a new election therefor; and in all cases, when

necessary for the purposes of this act, may call special elections, appoint judges and clerks thereof, and provide by ordinances for the mode of conducting the same; and shall give notice of such special elections, in which shall be stated the questions to be voted upon, and cause such notices to be published or posted for the same length of time and in the same manner as is required in the case of regular annual elections in such cities or villages.

## ARTICLE V.

### OF THE POWERS OF THE CITY COUNCIL.

**63.** § 1. The City Council in cities, and President and Board of Trustees in villages, shall have the following powers:

**FIRST.**—To control the finances and property of the corporation.

**SECOND**—To appropriate money for corporate purposes only, and provide for payment of debts and expenses of the corporation.

**THIRD.**—To levy and collect taxes for general and special purposes on real and personal property.

**FOURTH.**—To fix the amount, terms and manner of issuing and revoking licenses.

**FIFTH.**—To borrow money on the credit of the corporation for corporate purposes, and issue bonds therefor, in such amounts and form, and on such conditions as it shall prescribe, but shall not become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate to exceed five (5) per centum on the value of the taxable property therein, to be ascertained by the last assessment for State and county taxes previous to the incurring of such indebtedness; and before or at the time of incurring any indebtedness shall provide for the collection of a direct annual tax sufficient to pay interest on such as it falls due, and also to pay and discharge the principal thereof within twenty years after contracting the same.

**SIXTH.**—To issue bonds in place of, or to supply means to meet, maturing bonds, or for the consolidation or funding of the same.

SEVENTH.—To lay out, establish, open, alter, widen, extend, grade, pave, or otherwise improve streets, alleys, avenues, sidewalks, wharves, parks and public grounds, and vacate the same.

EIGHTH.—To plant trees upon the same.

NINTH.—To regulate the use of the same.

TENTH.—To prevent and remove encroachments or obstructions upon the same.

ELEVENTH.—To provide for the lighting of the same.

TWELFTH.—To provide for the cleansing of the same.

THIRTEENTH.—To regulate the openings therein for the laying of gas or water mains and pipes, and the building and repairing of sewers, tunnels and drains, and erecting gas lights: *Provided, however,* that any company heretofore organized under the general laws of this State, or any association or persons organized, or which may be hereafter organized for the purpose of manufacturing illuminating gas to supply cities or villages, or the inhabitants thereof, with the same, shall have the right, by consent of the Common Council (subject to existing rights) to erect gas factories and lay down pipes in the streets or alleys of any city or village in this State, subject to such regulations as any such city or village may by ordinance impose:

FOURTEENTH.—To regulate the use of sidewalks and all structures thereunder; and to require the owner or occupant of any premises to keep the sidewalks, in front of or along the same, free from snow or other obstructions.

FIFTEENTH.—To regulate and prevent the throwing or depositing of ashes, offal, dirt, garbage, or any offensive matter in, and to prevent injury to, any street, avenue, alley or public ground.

SIXTEENTH.—To provide for and regulate cross-walks, curbs and gutters.

SEVENTEENTH.—To regulate and prevent the use of streets, sidewalks and public grounds for signs, sign-posts, awnings, awning posts, telegraph poles, horse troughs, racks, posting handbills and advertisements.

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EIGHTEENTH.—To regulate and prohibit the exhibition or carrying of banners, placards, advertisements or handbills in the streets or public grounds, or upon the sidewalks.

NINETEENTH.—To regulate and prevent the flying of flags, banners or signs across the streets or from houses.

TWENTIETH.—To regulate traffic and sales upon the streets, sidewalks and public places.

TWENTY-FIRST.—To regulate the speed of horses and other animals, vehicles, cars and locomotives, within the limits of the corporation.

TWENTY-SECOND.—To regulate the numbering of houses and lots.

TWENTY-THIRD.—To name and change the name of any street, avenue, alley, or other public place.

TWENTY-FOURTH.—To permit, regulate or prohibit the locating, constructing, or laying a track of any horse railroad in any street, alley or public place; but such permission shall not be for longer time than twenty years.

TWENTY-FIFTH.—To provide for and change the location, grade and crossings of any railroad.

TWENTY-SIXTH.—To require railroad companies to fence their respective railroads, or any portion of the same, and to construct cattle guards, crossings of streets and public roads, and keep the same in repair within the limits of the corporation. In case any railroad company shall fail to comply with any such ordinance, it shall be liable for all damages the owner of any cattle or horses, or other domestic animal may sustain, by reason of injuries thereto while on the track of said railroad, in like manner and extent as under the general laws of this State, relative to the fencing of railroads; and actions to recover such damages may be instituted before any Justice of the Peace, or other court of competent jurisdiction.

TWENTY-SEVENTH.—To require railroad companies to keep flagmen at railroad crossings of streets, and provide protection against injury to persons and property in the use of such rail-

roads. To compel such railroad to raise or lower their railroad track to conform to any grade which may, at any time, be established by such city, and where such tracks run lengthwise of any such street, alley or highway, to keep their railroad tracks on a level with the street surface, and so that such tracks may be crossed at any place on such street, alley or highway. To compel and require railroad companies to make and keep open and to keep in repair ditches, drains, sewers and culverts along and under their railroad track, so that filthy or stagnant pools of water cannot stand on their grounds or right of way, so that the natural drainage of adjacent property shall not be impeded.

TWENTY-EIGHTH.—To construct and keep in repair bridges, viaducts and tunnels, and to regulate the use thereof.

TWENTY-NINTH.—To construct and keep in repair culverts, drains, sewers and cess-pools, and to regulate the use thereof.

THIRTIETH.—To deepen, widen, dock, cover, wall, alter or change the channel of water courses.

THIRTY-FIRST.—To construct and keep in repair canals and slips for the accommodation of commerce.

THIRTY-SECOND.—To erect and keep in repair public landing places, wharves, docks and levees.

THIRTY-THIRD.—To regulate and control the use of public and private landing places, wharves, docks and levees.

THIRTY-FOURTH.—To control and regulate the anchorage, moorage and landing of all water craft and their cargoes, within the jurisdiction of the corporation.

THIRTY-FIFTH.—To license, regulate and prohibit wharf-boats, tugs and other boats used about the harbor or within such jurisdiction.

THIRTY-SIXTH.—To fix the rate of wharfage and dockage.

THIRTY-SEVENTH.—To collect wharfage and dockage from all boats, rafts or other craft landing or using any public landing place, wharf, dock or levee within the jurisdiction of the corporation.

THIRTY-EIGHTH.—To make regulations in regard to the use of harbors, towing of vessels, opening and passage of bridges.

THIRTY-NINTH.—To appoint harbor masters, and define their duties.

FORTIETH.—To provide for the cleansing and purification of waters, water courses and canals, and the draining or filling of ponds on private property, whenever necessary to prevent or abate nuisances.

FORTY-FIRST.—To license, tax, regulate, suppress and prohibit hawkers, peddlers, pawnbrokers, keepers of ordinaries, theatricals and other exhibitions, shows and amusements, and to revoke such license at pleasure.

FORTY-SECOND.—To license, tax and regulate hackmen, draymen, omnibus drivers, carters, cabmen, porters, expressmen, and all others pursuing like occupations, and to prescribe their compensation.

FORTY-THIRD.—To license, regulate, tax and restrain runniers for stages, cars, public houses, or other things or persons.

FORTY-FOURTH.—To license, regulate, tax or prohibit and suppress billiards, bagatelle, pigeon-hole, or any other tables or implements kept or used for a similar purpose in any place of public resort, pin alleys and ball alleys.

FORTY-FIFTH.—To suppress bawdy and disorderly houses, houses of ill-fame or assignation, within the limits of the city, and within three miles of the outer boundaries of the city; and also to suppress gaming and gambling houses, lotteries, and all fraudulent devices and practices for the purpose of gaining or obtaining money or property; and to prohibit the sale or exhibition of obscene or immoral publications, prints, pictures or illustrations.

FORTY-SIXTH.—To license, regulate and prohibit the selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquor, the license not to extend beyond the municipal year in which it shall be granted, and to determine the amount to be paid for such license: *Provided*, that the City Council in cities, or President and Board of Trustees in villages, may grant

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permits to druggists for the sale of liquors for medicinal, mechanical, sacramental and chemical purposes only, subject to forfeiture, and under such restrictions and regulations as may be provided by ordinance: *Provided, further*, that in granting licenses such corporate authorities shall comply with whatever general law of the State may be in force relating to the granting of licenses.

**FORTY-SEVENTH.**—The foregoing shall not be construed to affect the provisions of the charter of any literary institution heretofore granted.

**FORTY-EIGHTH.**—And the City Council in cities, and President and Board of Trustees in villages, shall also have the power to forbid and punish the selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquor to any minor, apprentice or servant, or insane, idiotic or distracted person, habitual drunkard, or person intoxicated.

**FORTY-NINTH.**—To establish markets and market houses, and provide for the regulation and use thereof.

**FIFTIETH.**—To regulate the sale of meats, poultry, fish, butter, cheese, lard, vegetables, and all other provisions, and to provide for the place and manner of selling the same.

**FIFTY-FIRST.**—To prevent and punish forestalling and regrating.

**FIFTY-SECOND.**—To regulate the sale of bread in the city or village; prescribe the weight and quality of bread in the loaf.

**FIFTY-THIRD.**—To provide for and regulate the inspection of meats, poultry, fish, butter, cheese, lard, vegetables, cotton, tobacco, flour, meal and other provisions.

**FIFTY-FOURTH.**—To regulate the inspection, weighing and measuring of brick, lumber, fire-wood, coal, hay, and any article of merchandise.

**FIFTY-FIFTH.**—To provide for the inspection and sealing of weights and measures.

**FIFTY-SIXTH.**—To enforce the keeping and use of proper weights and measures by venders.

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FIFTY-SEVENTH.—To regulate the construction, repairs and use of vaults, cisterns, areas, hydrants, pumps, sewers and gutters.

FIFTY-EIGHTH.—To regulate places of amusement.

FIFTY-NINTH.—To prevent intoxication, fighting, quarreling, dog fights, cock fights, and all disorderly conduct.

SIXTIETH.—To regulate partition fences and party walls.

SIXTY-FIRST.—To prescribe the thickness, strength and manner of constructing stone, brick and other buildings, and construction of fire escapes therein.

SIXTY-SECOND.—The City Council and the President and Trustees in villages, for the purpose of guarding against the calamities of fire, shall have power to prescribe the limits within which wooden buildings shall not be erected, or placed or repaired, without permission, and to direct that all and any buildings within the fire limits, when the same shall have been damaged by fire, decay or otherwise, to the extent of fifty per cent. of the value, shall be torn down or removed, and to prescribe the manner of ascertaining such damage.

SIXTY-THIRD.—To prevent the dangerous construction and condition of chimneys, fire-places, hearths, stoves, stove-pipes ovens, boilers and apparatus used in and about any building or manufactory, and to cause the same to be removed or placed in a safe condition, when considered dangerous; to regulate and prevent the carrying on of manufactories, dangerous in causing and promoting fires; to prevent the deposit of ashes in unsafe places, and to cause all such buildings and inclosures as may be in a dangerous state to be put in a safe condition.

SIXTY-FOURTH.—To erect engine houses, and provide fire engines, hose carts, hooks and ladders, and other implements for prevention and extinguishment of fires, and provide for the use and management of the same by voluntary fire companies or otherwise.

SIXTY-FIFTH.—To regulate and prevent storage of gun powder, tar, pitch, resin, coal oil, benzine, turpentine, hemp, cotton,

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nitro-glycerine, petroleum, or any of the products thereof, and other combustible or explosive material, and the use of lights in stables, shops and other places, and the building of bonfires; also to regulate and restrain the use of fire-works, fire-crackers, torpedoes, roman candles, sky-rockets, and other pyrotechnic displays.

SIXTY-SIXTH.—To regulate the police of the city or village, and pass and enforce all necessary police ordinances.

SIXTY-SEVENTH.—To provide for the inspection of steam boilers.

SIXTY-EIGHTH.—To prescribe the duties and powers of a Superintendent of Police, Policemen and Watchmen.

SIXTY-NINTH.—To establish and erect calaboozes, bridewells, houses of correction and work-houses, for the reformation and confinement of vagrants, idle and disorderly persons, and persons convicted of violating any city or village ordinance, and make rules and regulations for the government of the same and appoint necessary keepers and assistants.

SEVENTIETH.—To use the county jail for the confinement or punishment of offenders, subject to such conditions as are imposed by law, and with the consent of the County Board.

SEVENTY-FIRST.—To provide by ordinance in regard to the relation between all the officers and employes of the corporation in respect to each other, the corporation and the people.

SEVENTY-SECOND.—To prevent and suppress riots, routs, affrays, noises, disturbances, disorderly assemblies in any public or private place.

SEVENTY-THIRD.—To prohibit and punish cruelty to animals.

SEVENTY-FOURTH.—To restrain and punish vagrants, mendicants and prostitutes.

SEVENTY-FIFTH.—To declare what shall be a nuisance, and to abate the same; and to impose fines upon parties who may create, continue or suffer nuisances to exist.

SEVENTY-SIXTH.—To appoint a Board of Health and prescribe its powers and duties.

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SEVENTY-SEVENTH.—To erect and establish hospitals and medical dispensaries, and control and regulate the same.

SEVENTY-EIGHTH.—To do all acts, make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease.

SEVENTY-NINTH.—To establish and regulate cemeteries within or without the corporation, and acquire lands therefor, by purchase or otherwise, and cause cemeteries to be removed, and prohibit their establishment within one mile of the corporation.

EIGHTIETH.—To regulate, restrain and prohibit the running at large of horses, cattle, swine, sheep, goats, geese and dogs, and to impose a tax on dogs.

EIGHTY-FIRST.—To direct the location and regulate the management and construction of packing houses, renderies, tallow chandleries, bone factories, soap factories and tanneries, within the limits of the city or village, and within the distance of one mile without the city or village limits.

EIGHTY-SECOND.—To direct the location and regulate the use and construction of breweries, distilleries, livery stables, blacksmith shops and foundries within the limits of the city or village.

EIGHTY-THIRD.—To prohibit any offensive or unwholesome business or establishment within, or within one mile of, the limits of the corporation.

EIGHTY-FOURTH.—To compel the owner of any grocery, cellar, soap or tallow chandlery, tannery, stable, pig-sty, privy, sewer or other unwholesome or nauseous house or place, to cleanse, abate or remove the same, and to regulate the location thereof.

EIGHTY-FIFTH.—The City Council, or Trustees of a village shall have the power to provide for taking the city or village census; but no city or village census shall be taken by authority of the Council or Trustees oftener than once in three years.

EIGHTY-SIXTH.—To provide for the erection and care of all public buildings necessary for the use of the city or village.

EIGHTY-SEVENTH.—To establish ferries, toll bridges, and license and regulate the same, and, from time to time, to fix the tolls thereon.

EIGHTY-EIGHTH.—To authorize the construction of mills, mill races and feeders on, through or across the streets of the city or village; at such places and under such restrictions as they shall deem proper.

EIGHTY-NINTH.—The City Council shall have power by condemnation or otherwise, to extend any street, alley or highway over or across, or to construct any sewer under or through any railroad track, right of way, or land of any railroad company (within the corporate limits); but where no compensation is made to such railroad company, the city shall restore such railroad track, right of way or land to its former state, or in a sufficient manner not to have impaired its usefulness.

NINETIETH.—The City Council or Board of Trustees shall have no power to grant the use of or the right to lay down any railroad tracks in any street of the city to any steam, dummy, electric, cable, horse or other railroad company, whether the same shall be incorporated under any general or special law of the State now or hereafter in force, except upon the petition of the owners of the land representing more than one-half of the frontage of the street, or so much thereof as is sought to be used for railroad purposes; and when the street or part thereof sought to be used shall be more than one mile in extent, no petition of land owners shall be valid unless the same shall be signed by the owners of the land representing more than one-half of the frontage of each mile and of the fraction of a mile if any in excess of the whole miles, measuring from the initial point named in such petition, of such street or of the part thereof sought to be used for railroad purposes.

NINETY-FIRST.—To tax, license and regulate auctioneers, distillers, brewers, lumber yards, livery stables, public scales, money changers and brokers.

NINETY-SECOND.—To prevent and regulate the rolling of hoops, playing of ball, flying of kites, or any other amusements or

practice having a tendency to annoy persons passing in the streets, or on the sidewalks, or to frighten teams and horses.

**NINETY-THIRD.**—To regulate and prohibit the keeping of any lumber yard, and the placing or piling or selling any lumber, timber, wood or other combustible material, within the fire limits of the city.

**NINETY-FOURTH.**—To provide, by ordinance, that all the paper, printing, stationery, blanks, fuel, and all other supplies needed for the use of the city, shall be furnished by contract, let to the lowest bidder.

**NINETY-FIFTH.**—To tax, license and regulate second-hand and junk stores; and to forbid their purchasing or receiving from minors, without the written consent of their parents or guardians, any article whatsoever.

**NINETY-SIXTH.**—To pass all ordinances, rules, and make all regulations proper or necessary, to carry into effect the powers granted to cities or villages, with such fines or penalties as the City Council or Board or Trustees shall deem proper: *Provided*, no fine or penalty shall exceed Two Hundred Dollars (\$200), and no imprisonment shall exceed six months for one offense.

**63½. NINETY-SEVENTH.**—§ 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the City Council in cities, and the President and Board of Trustees in villages and incorporated towns, shall have power to license, tax, regulate, suppress or prohibit itinerant merchants and transient vendors of merchandise.

**64. Style of Ordinances.]** § 2. The style of the ordinances in cities shall be: “Be it ordained by the City Council of.....”

**65. Publication of Ordinances—When take Effect.]** § 3. All ordinances of cities and villages imposing any fine, penalty, imprisonment or forfeiture, or making any appropriation, shall, within one month after they are passed, be published at least once in a newspaper published in the city or village, or, if no such newspaper is published therein, by posting copies of the same in three public places in the city or village: and no such

ordinance shall take effect until ten days after it is so published. And all other ordinances, orders and resolutions shall take effect from and after their passage, unless otherwise provided therein.

**66. Proof of Ordinances.]** § 4. All ordinances and the date of publication thereof, may be proven by the certificate of the Clerk, under the seal of the corporation. And when printed in a book or pamphlet form, and purporting to be published by authority of the Board of Trustees or the City Council, the same need not be otherwise published; and such book or pamphlet shall be received as evidence of the passage and legal publication of such ordinances, as of the dates mentioned in such book or pamphlet, in all courts and places without further proof.

**67. Suits for Violating Ordinances.]** § 5. All actions brought to recover any fine, or to enforce any penalty, under any ordinance of any city or village, shall be brought in the corporate name of the city or village as plaintiff; and no prosecution, recovery or acquittal, for the violation of any such ordinance, shall constitute a defense to any other prosecution of the same party for any other violation of any such ordinance, although the different causes of action existed at the same time, and, if united, would not have exceeded the jurisdiction of the Court or Magistrate.

**68. Fines and Licenses Paid to Treasurer.]** § 6. All fines and forfeitures for violation of ordinances, when collected and all moneys for licenses or otherwise, shall be paid into the treasury of the corporation, at such times and in such manner as may be prescribed by ordinance.

**69. Summons—Affidavit—Punishment.]** § 7. In all actions for the violation of any ordinance, the first process shall be a summons: *Provided, however,* that a warrant for the arrest of the offender may issue in the first instance, upon the affidavit of any person that any such ordinance has been violated, and that the person making the complaint has reasonable grounds to believe the party charged is guilty thereof; and any person arrested upon such warrant shall, without unnecessary delay, be taken before the proper officer to be tried for the alleged offense. Any person upon whom any fine or penalty shall be imposed,

may, upon the order of the Court or Magistrate before whom the conviction is had, be committed to the county jail or the calaboose, city prison, workhouse, house of correction, or other place provided by the city or village for the incarceration of offenders, until such fine, penalty and cost shall be fully paid: *Provided*, that no such imprisonment shall exceed six months for any one offense. The City Council or Board of Trustees shall have power to provide, by ordinance, that every person so committed shall be required to work for the corporation, at such labor as his or her strength will permit, within and without such prison, workhouse, house of correction, or other place provided for the incarceration of such offenders, not exceeding ten hours each working day; and for such work the person so employed to be allowed, exclusive of his or her board, \$2 for each day's work on account of such fine and cost.

**70. Jurisdiction of Justices.]** § 8: Any and all Justices of the Peace and Police Magistrates shall have jurisdiction in all cases arising under the provisions of this act, or any ordinance passed in pursuance thereof.

**71. Constable or Sheriff may Serve Process, etc.]** §. 9. Any Constable or Sheriff of the county may serve any process, or make any arrests authorized to be made by any city officer.

**72. Jurisdiction over Waters—Street Labor.]** § 10. The city or village government shall have jurisdiction upon all waters within or bordering upon the same, to the extent of three miles beyond the limits of the city or village, but not to exceed the limits of the State; and may by ordinance, require every able-bodied male inhabitant of such city or village, above the age of twenty-one and under the age of fifty years, (excepting paupers, idiots, lunatics and such others as are exempt by law) to labor on the streets and alleys of such city or village, not more than three days in the year, but such ordinance shall provide for commutation of such labor at not more than one dollar and fifty cents per day.

## STREETS—LABOR ON.

AN ACT PROVIDING FOR LABOR ON THE STREETS AND ALLEYS OF ALL CITIES AND VILLAGES IN THIS STATE. [APPROVED MAY 31, 1879. IN FORCE JULY 1, 1879.

**73. Labor on Streets, etc.]** § 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the City Council in all cities, and the President and Board of Trustees in villages in this State, may have power, by ordinance, to require every able-bodied male inhabitant of any such city or village, above the age of twenty-one years, and under the age of fifty years, (excepting paupers, idiots, lunatics, and such others as are exempt by law), to labor on the streets and alleys of any such city or village, not more than two (2) days in each year; but such ordinance shall provide for commutation of such labor at seventy-five cents per day.

**74. Fines and Penalties.]** § 2. Any such City Council or President and Board of Trustees of any such village, shall have power, by ordinance, to provide such fines and penalties as may be necessary to enforce the provisions of this act.

## ARTICLE VI.

## OFFICERS—THEIR POWERS AND DUTIES.

**75. Officers.]** § 1. There shall be elected in all cities organized under this act, the following officers, viz: a Mayor, a City Council, a City Clerk, City Attorney, and a City Treasurer.

**76. Other Officers—Duties of City Marshal].** § 2. The City Council may, in its discretion, from time to time, by ordinance passed by a vote of two-thirds of all the Aldermen elected, provide for the election by the legal voters of the city, or the appointment by the Mayor, with the approval of the City Council, of a City Collector, a City Marshal, a City Superintendent of Streets, a Corporation Counsel, a City Comptroller, or any or either of them, and such other officers as may by said Council be deemed necessary or expedient. The City Council may, by a like vote, by ordinance or resolution, to take effect at the end of the then fiscal year, discontinue any office so created, and devolve the duties thereof on any other city officer; and no officer

filling any such office so discontinued, shall have any claim against the city on account of his salary, after such discontinuance. The City Marshal shall perform such duties as shall be prescribed by the City Council for the preservation of the public peace, and the observance and the enforcement of the ordinances and laws; he shall possess the power and authority of a Constable at common law, and under the statutes of this State.

**77. Appointments—Vacancies—Duties—Powers.]** § 3. All officers of any city, except where herein otherwise provided, shall be appointed by the Mayor (and vacancies in all offices except the Mayor and Aldermen shall be filled by like appointment), by and with the advice and consent of the City Council. The City Council, may by ordinance, not inconsistent with the provisions of this act, prescribe the duties and define the powers of all such officers, together with the term of any such office: *Provided*, the term shall not exceed two years.

**78. Oath—Bond.]** § 4. All officers of any city or village, whether elected or appointed, shall, before entering upon the duties of their respective offices, take and subscribe the following oath or affirmation:

I do solemnly swear (or affirm as the case may be,) that I will support the Constitution of the United States, the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of ..... according to the best of my ability.

Which oath or affirmation, so subscribed, shall be filed in the office of the Clerk. And all such officers, except Aldermen and Trustees, shall, before entering upon the duties of their respective offices, execute a bond with security, to be approved by the City Council or Board of Trustees, payable to the city or village, in such penal sum as may, by resolution or ordinance, be directed, conditioned for the faithful performance of the duties of the office and the payment of all moneys received by such officer, according to law and the ordinances of such city or village: *Provided, however*, that in no case shall the Mayor's bond be fixed at a less sum than Three Thousand Dollars (\$3,000); nor shall the Treasurer's bond be fixed at a less sum than the amount of the estimated tax and special assessment for the current year—

which bonds shall be filed with the Clerk (except the bond of the Clerk, which shall be filed with the Treasurer).

**79. Commission—Certificate—Delivery to Successors.]**

§ 5. All officers elected or appointed under this act (except the Clerk, Aldermen and Mayor, and Trustees), shall be commissioned by warrant, under the corporate seal, signed by the Clerk and the Mayor or the presiding officer of the City Council or Board or Trustees. The Mayor or President of the Board of Trustees shall issue a certificate of appointment or election, under the seal of the corporation, to the Clerk thereof, and any person having been an officer of the city or village, shall within five days after notification and request, deliver to his successor in office, all property, books and effects of every description in his possession, belonging to the city or village, or appertaining to his said office, and upon his refusal to do so, shall be liable for all damage caused thereby, and to such penalty as may by ordinance be prescribed.

**80. Qualification of Officers.]** § 6. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section seventy-seven (77) of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, be amended so as to read as follows:

No person shall be eligible to any office who is not a qualified elector of the city or village and who shall not have resided therein at least one year next preceding his election or appointment. Nor shall any person be eligible to any office who is a defaulter to the corporation: *Provided, however,* this shall not apply to the appointment or election of City Engineers in incorporated cities and villages: *And, provided,* that the same shall not apply to appointment of Attorneys in incorporated villages, if such appointee be not a defaulter to the corporation.

**81. Not Interested in Contracts, etc.]** § 7. No officer shall be directly or indirectly interested in any contract, work or business of the city, or the sale of any article, the expense, price or consideration of which is paid from the Treasury, or by an assessment levied by any act or ordinance, nor in the purchase of any real estate or other property belonging to the corpor-

ation, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of said corporation.

**82. Bribery—Penalty.]** § 8. Every person who shall promise, offer or give, or cause, or aid, or abet in causing to be promised, offered or given, or furnish or agree to furnish, in whole or in part, to be promised, offered, or given to any member of the City Council or Board of Trustees, or any officer of the corporation, after or before his election or appointment as such officer, any money, goods, right in action, or other property, or anything of value, or any pecuniary advantage, present or prospective, with intent to influence his vote, opinion, judgment or action on any question, matter, cause or proceeding which may be then pending, or may by law be brought before him in his official capacity, shall, upon conviction, be imprisoned in the penitentiary for a term not exceeding two years, or shall be fined not exceeding \$5,000, or both, in the discretion of the court. Every officer who shall accept any such gift or promise, or undertaking to make the same under any agreement or understanding that his vote, opinion, judgment or action shall be influenced thereby, or shall be given in any question, matter, cause or proceeding then pending, or which may by law be brought before him in his official capacity, shall, upon conviction, be disqualified from holding any public office, trust or appointment under the city or village, and shall forfeit his office, and shall be punished by imprisonment in the penitentiary not exceeding two years, or by fine not exceeding \$5,000, or both, in the discretion of the court. Every person offending against either of the provisions of this section, shall be a competent witness against any other person offending in the same transaction, and may be compelled to appear and give evidence before any grand jury or in any court, in the same manner as before, but the testimony so given shall not be used in any prosecution or proceeding, civil or criminal, against the person so testifying.

**83. Mayor, etc., Not to Hold other Office.]** § 9. No Mayor, Aldermen, City Clerk, or Treasurer, shall hold any other office under the city government during his term of office.

**84. Duties of Clerk.]** § 10. The City Clerk shall keep the corporate seal, to be provided under the direction of the City Council or Board of Trustees, and all papers belonging to the city or village; he shall attend all meetings of the City Council or Board of Trustees, and keep a full record of its proceedings in the journal, and copies of all papers duly filed in his office, and transcripts from the journal and other records and files of the office, certified by him under the corporate seal, shall be evidence in all courts in like manner as if the originals were produced.

**85. Record of Ordinances.]** § 11. The Clerk shall record, in a book to be kept for that purpose, all ordinances passed by the City Council or Board of Trustees, and at the foot of the record of each ordinance so recorded shall make a memorandum of the date of the passage and of the publication or posting of such ordinance, which record and memorandum, or a certified copy thereof, shall be *prima facie* evidence of the passage and legal publication or posting of such ordinances, for all purposes whatsoever.

**86. Conservators of the Peace—Powers of.]** § 12. The Trustees in villages, Mayor, Aldermen and the Marshal and his deputies, Policemen and Watchmen in cities, if any such be appointed, shall be Conservators of the Peace, and all officers created Conservators of the Peace by this act or authorized by any ordinance, shall have power to arrest or cause to be arrested, with or without process, all persons who shall break the peace, or be found violating any ordinance of the city or village, or any criminal law of the State, commit for examination, and if necessary, detain such persons in custody over night or Sunday in the watch-house or any other safe place, or until they can be brought before the proper Magistrate, and shall have and exercise such other powers as Conservators of the Peace as the City Council or Board of Trustees may prescribe. All warrants for the violation of ordinances and all criminal warrants to whomsoever directed, may be served and executed within the corporate limits of any such city or village by any Policeman of such city or village; such Policemen being hereby clothed with all the common law and statutory power of Constables for such purposes.

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**87. Compensation of Mayor.]** § 12. The Mayor of any city shall receive such compensation as the City Council may by ordinance direct, but his compensation shall not be changed during his term of office.

**88. Compensation of Aldermen and Trustees.]** § 14. The Aldermen and Trustees may receive such compensation for their services as shall be fixed by ordinance. *Provided, however,* that such compensation shall not exceed Three Dollars to each Alderman or Trustee for each meeting of the City Council or Board of Trustees, actually attended by him, and no other compensation than for attendance upon such meetings shall be allowed to any Alderman or Trustee for any service whatsoever. Such compensation shall not be changed, after it has been once established, so as to take effect as to any Alderman or Trustee, voting for such change, during his term of office.

**89. Compensation of other Officers.]** § 15. All other officers may receive a salary, fees, or other compensations to be fixed by ordinance, and after the same has been once fixed, such fees or compensation shall not be increased or diminished, to take effect during the term for which any such officer was elected or appointed; and every such officer shall make and return to the Mayor or President of the Board of Trustees, a semi-annual report, verified by affidavit, of all such fees and emoluments received by him.

**90. Administering Oaths.]** § 16. The Mayor of any city, and the Clerk of any city or village shall have power to administer oaths and affirmations upon all lawful occasions.

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#### JURISDICTION IN DIFFERENT COUNTIES.

#### AN ACT TO DEFINE THE JURISDICTION OF CITIES AND INCORPORATED TOWNS AND VILLAGES LYING IN DIFFERENT COUNTIES.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That cities and incorporated towns and villages, which are now or which may hereafter be incorporated or extended into different counties,

shall have the right to extend and enforce their ordinances over the entire territory embraced within the limits of such cities, incorporated towns or villages for all municipal purposes.

§ 2. That whenever any provision is made by the statutes of this State that any suit or proceeding affecting lands or the assessment or collection of taxes shall be commenced by any city, incorporated town or village, in any court of the county wherein such city, incorporated town or village is situated, it shall be held and construed to mean in the county wherein the lands to be affected or upon which the taxes are assessed or to be assessed and collected are situated.

APPROVED June 18, 1891.

## ARTICLE VII.

### OF FINANCE.

**91. Fiscal Year.]** § 1. The fiscal year of each city or village, organized under this act, shall commence at the date established by law for the annual election of municipal officers therein, or at such other times as may be fixed by ordinance.

**92. Annual Appropriation Ordinance.]** § 2. The City Council of cities, and Board of Trustees in villages, shall, within the first quarter of each fiscal year, pass an ordinance, to be termed the annual appropriation bill, in which such corporate authorities may appropriate such sums of money as may be deemed necessary to defray all necessary expenses and liabilities of such corporation; and in such ordinance shall specify the objects and purposes for which such appropriations are made, and the amount appropriated for each object or purpose. No further appropriations shall be made at any other time within such fiscal year, unless the proposition to make each appropriation has been first sanctioned by a majority of the legal voters of such city or village, either by a petition signed by them, or at a general or special election duly called therefor.

**93. Limitation—Emergency—Borrowing Money.]** § 3. Neither the City Council nor the Board of Trustees, nor any department or officer of the corporation, shall add to the corporate expenditures in any one year anything over and above the

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amount provided for in the annual appropriation bill of that year, except as herein otherwise especially provided; and no expenditures for an improvement to be paid for out of the general fund of the corporation shall exceed, in any one year, the amount provided for such improvement in the annual appropriation bill; *Provided, however*, that nothing herein contained shall prevent the City Council or Board of Trustees from ordering, by a two-thirds vote, any improvement, the necessity of which is caused by any casualty or accident happening after such annual appropriation is made. The City Council or Board of Trustees, may, by a like vote, order the Mayor or President of the Board of Trustees and Finance Committee, to borrow a sufficient amount to provide for the expense necessary to be incurred in making any improvements, the necessity of which has arisen, as is last above mentioned, for the space of time not exceeding the close of the next fiscal year; which sum, and the interest, shall be added to the amount authorized to be raised in the next general tax levy, and embraced therein. Should any judgment be obtained against the corporation, the Mayor, or President of the Board of Trustees, and Finance Committee, under the sanction of the City Council or Board of Trustees, may borrow a sufficient amount to pay the same for a space of time not exceeding the close of the next fiscal year—which sum and interest shall, in like manner, be added to the amount authorized to be raised in the general tax levy of the next year and embraced therein.

**94. Contracting Liabilities Limited.]** § 4. No contract shall be hereafter made by the City Council or Board of Trustees, or any committee or member thereof; and no expense shall be incurred by any of the officers or departments of the corporation, whether the object of the expenditure shall have been ordered by the City Council or Board of Trustees or not, unless an appropriation shall have been previously made concerning such expense, except as herein otherwise expressly provided.

**95. Duties of Treasurer.]** § 5. The Treasurer shall receive all moneys belonging to the corporation, and shall keep his books and accounts in such manner as may be prescribed by

ordinance, and such books and accounts shall always be subject to the inspection of any member of the City Council or Board of Trustees.

**96. Separate Accounts.]** § 6. He shall keep a separate account of each fund or appropriation, and the debts and credits belonging thereto.

**97. Receipts.]** § 7. He shall give every person paying money into the treasury a receipt therefor, specifying the date of payment, and upon what account paid; and he shall also file copies of such receipts with the Clerk, at the date of his monthly report.

**98. Monthly Statement—Warrants—Vouchers—Register.]** § 8. The Treasurer shall, at the end of each and every month, and oftenér if required, render an account to the City Council or Board of Trustees, or such officer as may be designated by ordinance (under oath), showing the state of the treasury at the date of said account, and the balance of money in the treasury. He shall also accompany such accounts with a statement of all moneys received into the treasury, and on what account, together with all warrants redeemed and paid by him, which said warrants, with any and all vouchers held by him, shall be delivered to the Clerk, and filed with his said account in the Clerk's office, upon every day of such settlement. He shall return all warrants paid by him stamped and marked "Paid." He shall keep a register of all warrants redeemed and paid, which shall describe such warrants, and show the date, amount, number, the fund from which paid, the name of the person to whom and when paid.

**99. Deposit of Funds—Separate from His.** § 9. The Treasurer may be required to keep all moneys in his hands, belonging to the corporation, in such place or places of deposit as may be designated by ordinance: *Provided, however,* no such ordinance shall be passed by which the custody of such money shall be taken from the Treasurer and deposited elsewhere than in some regularly organized bank, nor without a bond to be taken from such bank, in such penal sum and with such security as the

City Council or Board of Trustees shall direct and approve, sufficient to save the corporation from any loss; but such penal sum shall not be less than the estimated receipts for the current year from taxes and special assessments levied, or to be levied by the corporation. The Treasurer shall keep all moneys belonging to the corporation in his hands, separate and distinct from his own moneys, and he is hereby expressly prohibited from using, either directly or indirectly, the corporation money or warrants in his custody or keeping, for his own use and benefit, or that of any other person or persons whomsoever; and any violations of this provision shall subject him to immediate removal from office by the City Council or Board of Trustees, who are hereby authorized to declare the office vacant; and in which case his successor shall be appointed, who shall hold his office for the remainder of the term unexpired of such officer so removed.

**100. Treasurer's Annual Report—Publication.] § 10.**  
The Treasurer shall report to the City Council or Board of Trustees, as often as required, a full and detailed account of all receipts and expenditures of the corporation, as shown by his books, up to the time of said report; and he shall, annually, between the first and tenth of April, make out and file with the Clerk, a full and detailed account of all such receipts and expenditures, and of all his transactions, as such Treasurer, during the preceding fiscal year, and shall show in such account the state of the treasury at the close of the fiscal year; which account the Clerk shall immediate cause to be published in a newspaper printed in such city, if there be one, and if not, then by posting the same in a public place in the Clerk's office.

**101. Warrants.] § 11.** All warrants drawn upon the Treasurer must be signed by the Mayor and countersigned by the Clerk, stating the particular fund or appropriation to which the same is chargeable, and the person to whom payable; and no money shall be otherwise paid than upon such warrants so drawn, except as hereinafter provided.

**102. Special Assessment Fund kept Separate.] § 12.**  
All moneys received on any special assessment shall be held by the Treasurer as a special fund, to be applied to the payment of

the improvement, for which the assessment was made, and said money shall be used for no other purpose whatever, unless to reimburse such corporation for money expended for such improvement.

## CITY COLLECTOR.

**103. His Duties.]** § 13. It shall be the duty of the Collector, when one is appointed, to preserve all warrants which are returned into his hands, and he shall keep such books and his accounts in such a manner as the City Council may prescribe. Such warrants, books, and all papers pertaining to his office, shall at all times be open to the inspection of, and subject to the examination of, the Mayor, City Clerk, any member of the Council or committee thereof. He shall, weekly, or oftener if required by the Council, pay over to the Treasurer all moneys collected by him from any source whatever, taking such Treasurer's receipt therefor, which receipt he shall immediately file with the City Clerk; but the City Clerk shall, at the time, or on demand, give such Tax Collector a copy of any such receipt so filed.

**104. He shall Report, etc.—Publication.]** § 14. He shall make a report in writing, to the Council, or any officer designated by the Council, of all moneys collected by him, the accounts whereon collected, or of any other matter in connection with his office, when required by the Council or by any ordinance of the city. He shall also, annually, between the first and tenth of April, file with the Clerk a statement of all the moneys collected by him during the year, the particular warrant, special assessment or account on which collected, the balance of moneys uncollected on all warrants in his hands, and the balance remaining uncollected at the time of the return on all warrants which he shall have returned during the preceding fiscal year, to the City Clerk. The City Clerk shall publish or post the same, as hereinbefore required to be done in regard to the annual report of the Treasurer.

**105. Not to Detain Money—Penalty.]** § 15. The Collector is hereby expressly prohibited from keeping the moneys of the city in his hands, or in the hands of any person or corpor-

ation, to his use, beyond the time which may be prescribed for the payment of the same to the Treasurer, and any violation of this provision will subject him to immediate removal from office.

**106. Examination of his Books—Paying over.]** § 16. All the City Collector's papers, books, warrants and vouchers may be examined at any time by the Mayor or Clerk, or any member of the City Council; the Collector shall, every two weeks, or oftener if the City Council so direct, pay over all money collected by him from any person or persons, or associations, to the Treasurer, taking his receipt therefor in duplicate, one of which receipts he shall at once file in the office of the Clerk.

#### CITY COMPTROLLER.

**107. His Powers and Duties.]** § 17. The City Comptroller (if there shall be any City Comptroller appointed; if not then the Clerk) shall exercise a general supervision over all the officers of the corporation charged in any manner with the receipt, collection or disbursements of corporation revenues, and the collection and return of all such revenues into the treasury. He shall have the charge, custody and control of all deeds, leases, warrants, vouchers, books and papers of any kind, the custody of which is not herein given to any other officers; and he shall, on or before the fifteenth day of May in each year, and before the annual appropriations to be made by the City Council or Board of Trustees, submit to the City Council or Board of Trustees a report of his estimates, as nearly as may be, of moneys necessary to defray the expenses of the corporation during the current fiscal year. He shall, in said report, class the different objects and branches of expenditures, giving, as nearly as may be, the amount required for each, and for the purpose of making such a report, he is authorized to require of all officers their statement of the condition and expenses of their respective offices or departments, with any proposed improvements and the probable expense thereof, all contracts made and unfinished, and the amount of any and all unexpended appropriations of the preceding year. He shall, in such report, show the aggregate income of the preceding fiscal year from all sources, the amount of liabilities outstanding upon which interest is to be paid, the bonds and

debts payable during the year, when due and when payable; and in such report he shall give such other information to the Council or Board of Trustees as he may deem necessary, to the end that the City Council or Board of Trustees may fully understand the money exigencies and demands upon the corporation for the current year.

**108. Council may Define the Duties—Transfer of Clerk's Financial Duties.]** § 18. When there shall be appointed in any city a Comptroller, the City Council may, by ordinance or resolution, confer upon him such powers, and provide for the performance of such duties by him, as the City Council shall deem necessary and proper; and all the provisions of this act relating to the duties of City Clerk or the powers of the City Clerk in connection with the finances, the Treasurer and Collector, or the receipt and disbursment of the moneys of such city, shall be exercised and performed by such Comptroller, if one there shall be appointed; and to that end and purpose, wherever in this act heretofore the word "Clerk" is used, it shall be held to mean "Comptroller;" and wherever the "Clerk's office" is referred to, it shall be held to mean "Comptroller's office."

**109. Record of Bonds issued by City.]** § 19. The Comptroller, when there shall be a Comptroller, and if not, then the Clerk, shall keep in his office, in a book or books kept expressly for that purpose, a correct list of all the outstanding bonds of the city, showing the number and amount of each, for and to whom the said bonds are issued; and when any city bonds are purchased, or paid, or cancelled, said book or books shall show the fact; and in his annual report he shall describe, particularly, the bonds sold during the year, and the terms of sale, with each and every item of expense thereof.

#### GENERAL PROVISION.

**110. Further Duties may be Required.]** § 20. The Collector and Treasurer, and all other officers connected with the receipt and expenditure of money, shall perform such other duties, and be subject to such other rules and regulations, as the City Council or Board of Trustees may, from time to time, by ordinance, provide and establish.

**III. Appeal to Finance Committee.]** § 21. In the adjustment of the accounts of the Collector or Treasurer with the Clerk (or Comptroller, if there shall be one,) there shall be an appeal to the Finance Committee of the Council or Board of Trustees, whose decision in all matters of controversy arising between said officers shall be binding, unless the City Council or Board of Trustees shall otherwise direct and provide.

**112. Who may Appoint Subordinates.]** § 22. The Comptroller (if there be one), the Clerk, Treasurer and Collector shall, severally, appoint such various clerks and subordinates in their respective offices as the City Council or Board of Trustees may authorize, and shall be held, severally, responsible for the fidelity of all persons so appointed by them.

TAX OR LICENSE FEE FROM FOREIGN FIRE INSURANCE COMPANIES FOR BENEFIT FIRE DEPARTMENTS.

**113. Foreign Insurance Companies to Pay Tax or License Fee.]** § 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all corporations, companies and associations not incorporated under the laws of this State, and which are engaged in any city, town or village organized under any general or special law of this State in effecting fire insurance shall pay to the Treasurer of the city, town or village, for the maintenance, use and benefit of the fire department thereof, a sum of not exceeding two per cent. of the gross receipts received by their agency in such city, town or village. Cities, towns and villages are hereby empowered to prescribe by ordinances the amount of tax or license fee to be fixed, not in excess of the above rate, and at that rate such corporations, companies and associations shall pay, upon the amount of all premiums, which during the year ending on every first day of July shall have been received for any insurance effected or agreed to be effected in the city, town or village, by or with such corporations, companies or associations respectively. Every person who shall act in any city, town or village as agent or otherwise for or on behalf of any such corporation, company or association, shall, on or before the fifteenth day of July of each and every year, render

to the city, town or village clerk, a full, true and just account, verified by his oath, of all the premiums which during the year ending on every first day of July preceding such report, shall have been received by him or any other person for him in behalf of any such corporation, company or association, and shall specify in said report the amounts received for fire insurance. Such agents shall also pay to the Treasurer of any such city, town or village at the time of rendering the aforesaid report, the amount of rates fixed by the ordinances of said cities, towns or villages for which the companies, corporations or associations represented by them are severally chargeable by virtue of this act, and the ordinances passed in pursuance hereof. If such account be not rendered on or before the day herein designated for that purpose, or if the said rates shall remain unpaid after that day, it shall be unlawful for any corporation, company or association so in default to transact any business of insurance in any such city, town or village until the said requisitions shall have been fully complied with; but this provision shall not relieve any company, corporation or association from the payment of any risk that may be taken in violation hereof.

**114. Penalty for Violating this Act.]** § 2. Any person or persons violating any of the provisions of this act shall be subject to indictment, and upon conviction thereof in any court of competent jurisdiction, shall be fined in any sum not exceeding one thousand (\$1,000) dollars or imprisoned in the county jail not exceeding six (6) months, either or both in the discretion of the court. The amount of said tax or license fee may also be recovered of said corporation, company or association, or its agent, by an action in the name and for the use of any such city, town or village as for money had and received: *Provided*, that this act shall only apply to such cities, towns and villages as have an organized fire department, or maintain some organization for the prevention of fires.

**115. Repeal.]** § 3. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

## MAYOR'S BILL.

AN ACT CONCERNING THE APPOINTMENT AND REMOVAL OF CITY OFFICERS IN ALL CITIES IN THIS STATE, CONFERRING ADDITIONAL POWERS AND DUTIES UPON MAYORS, AND CONCERNING APPROPRIATION BILLS OR ORDINANCES THAT MAY BE PASSED IN SUCH CITIES. [APPROVED AND IN FORCE APRIL 10, 1875.]

**116. Power of Mayor and Council—Repeal.]** § 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:*

[Section one (1) of this act, except the enacting clause, repealed by act approved May 28, 1879.]

**117. Approval and Veto of Ordinances.]** § 2. All ordinances passed by the City Council shall, before they take effect, be deposited in the office of the City Clerk, and if the Mayor approves thereof, he shall sign the same; and such as he shall not approve he shall return to the Council, with his objections thereto, in writing, at the next regular meeting of the Council occurring not less than five days after the passage thereof. Such veto may extend to any one or more items or appropriations contained in any ordinance, and in case the veto only extends to a part of such ordinance, the residue thereof shall take effect and be in force, but in case the Mayor shall fail to return any ordinance with his objections thereto, by the time aforesaid, he shall be deemed to have approved such ordinance, and the same shall take effect accordingly.

**118. Passage over Mayor's Veto.]** § 3. Upon the return of any ordinance by the Mayor, the vote by which the same was passed shall be reconsidered by the Council, and if, after such reconsideration, two-thirds of all the members elected to the City Council shall agree, by yeas and nays, to pass the same, it shall go into effect, notwithstanding the Mayor may refuse to approve thereof. The vote to pass the same over the Mayor's veto shall be taken by yeas and nays, and entered on the journal.

## THE ORGANIZATION

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OF THE CITY OF CENTRALIA UNDER THE GENERAL LAW.

[Extract from the minutes and proceedings of the City Council of the City of Centralia, at a meeting held January 3, 1893.]

**Petition No. 56**, E. F. Zarbock et al., being more than one-eighth of the legal voters residing in this city, voting at the last municipal election, to call a special election for the purpose of submitting to a vote of the legal voters of said city the question of becoming incorporated under the act of the General Assembly of the State of Illinois, approved April 10, 1872, entitled, "An Act to provide for the incorporation of cities and villages," and the amendments thereto, presented, read and referred to the Committee on Judiciary and Ordinances. \* \* \* \* Committee on Judiciary and Ordinances report approved on Petition No. 56, E. F. Zarbock et al., and submit, as a part of their report, Ordinance No. 90, submitting to a vote of the legal voters of said city the question of becoming incorporated under the act of the General Assembly of the State of Illinois, approved April 10, 1872, and the question of minority representation in the City Council; and upon the same being read, on motion the said report was adopted. And on motion of Alderman Richardson, seconded by Alderman Davis, to adopt said ordinance, the ayes and nays being taken, resulted as follows: Ayes, Aldermen Davis, Frazier, Richardson, Rohl, Pfeiffer and Scott, none voting no. Thereupon, the said ordinance was declared duly adopted. \* \* \*

## ORDINANCE NO. 90.

WHEREAS, the petition of O. V. Parkinson, A. L. Reinhardt, E. F. Zarbock and others to the Mayor and City Council was on the sixth day of December, 1892, presented, praying that the question as to whether the City of Centralia shall become incorporated under the act of the General Assembly of the State of Illinois, approved April 10, 1872, entitled "An Act to provide for the incorporation of cities and villages" and the amendments thereof, to a vote of the electors in said city, in accordance with the provisions of said act; and whereas it appears that the said petitioners are legal voters of the City of Centralia, and that they comprise one-eighth of the legal voters of said city, voting at the last preceding municipal election. *Therefore,*

Be it ordained by the City Council of the City of Centralia.

SECTION 1. That the prayer of said petitioners be and the same is hereby granted, and it is hereby ordained that the question as to whether the City of Centralia shall become incorporated under the act of the General Assembly of the State of Illinois, approved April 10, 1872, entitled "An Act to provide for the incorporation of cities and villages," and the amendments thereof, be submitted to a vote of the electors in said City of Centralia and that for that purpose an election be held in the several wards and precincts of the City of Centralia, in the State of Illinois, on the 13th day of February, A. D. 1893. \* \* \*

§ 2. That there shall be submitted at said election to the qualified electors of said city for adoption or rejection the question of minority representation in the City Council, in accordance with the provisions of Section six of Article four of the aforesaid act to provide for the incorporation of cities and villages and its amendments, by act approved April 11, 1883.

§ 3. That the Mayor is hereby instructed to give notice of said election in accordance with the provisions of said act.

In witness whereof I have hereunto set my official hand  
[SEAL] and caused to be affixed the corporate seal of the City  
of Centralia, this 4th day of January, A. D. 1893.

J. N. KERR, Mayor.

Attest: W. F. BUNDY, City Clerk.

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[Extract from the minutes and proceedings of the City Council of the City of Centralia, at a meeting held March 7, 1893.]

Alderman Frazier moved that the Council do now proceed to canvass the returns of the election held in this city on the 13th day of February, 1893, on the questions as to whether this city should become incorporated under the General Law for the incorporation of cities and villages, and minority representation in the City Council. The motion prevailed.

Whereupon the Council proceeded accordingly to canvass the returns of such election, and having duly canvassed the same declared the following as the result thereof \* \* \*

For city organization under the General Law, 386 votes.

Against city organization under the General Law, 234 votes.

For minority representation in the City Council, 182 votes.

Against minority representation in the City Council, 331 votes.

That there is a majority of 152 votes cast at said election in favor of city organization under the general law, and a majority of 149 votes cast against minority representation in the City Council.

And, on motion of Alderman Davis, the City Clerk was ordered to file in the office of the Recorder of Deeds of Marion county, a certified copy of the entry made upon the records of the city, showing the canvass of the votes and the result of said election, and a like copy in the office of the Secretary of State, within the time prescribed by law.



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GENERAL ORDINANCES  
OF THE—  
CITY OF CENTRALIA.

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# CITY ORDINANCES.

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## AN ORDINANCE

REVISING AND CONSOLIDATING THE ORDINANCES OF THE CITY  
OF CENTRALIA.

Whereas, It is deemed expedient that the ordinances of the City of Centralia should be revised, consolidated and arranged in appropriate chapters and sections, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CENTRALIA:

### CHAPTER I.

#### AMUSEMENTS.

**1. No Person shall give Exhibitions or Entertainments without License.]** SECTION 1. That it shall be unlawful for any person or persons, firm, company or corporation, within the limits of this city, to do any act, give any entertainment, or make any exhibition hereinafter named or described, without first having obtained a license so to do, as in these ordinances provided and required.

**2. Theatrical Performances—Concerts—License.]** § 2. Any person or persons who shall exhibit any theatrical performance, or give a musical concert or entertainment for pay or compensation, shall pay for license so to do not less than two dollars nor more than ten dollars for each and every performance, concert or entertainment.

**3. Painting, Statuary, Wax Figures, Wild Animals.] §**

3. Any person or persons who shall exhibit for compensation any painting, statuary or wax figures, or any similar articles, or wild animals, shall pay for license so to do not less than two nor more than fifty dollars for each day, and a like sum for each day such exhibition shall continue.

**4. Rope or Wire Dancing, Jugglery, Sleight of Hand, etc.]**

§ 4. Any person or persons who shall exhibit for compensation any rope or wire dancing, feats of jugglery, sleight of hand, tricks of legerdemain, necromancy, any natural or artificial curiosity or curiosities, or any similar exhibition not herein enumerated, shall pay for license so to do not less than five dollars and not more than twenty dollars for each exhibition.

**5. Circus and Menagerie, Street Parades, etc.] § 5.**

Any person or persons who shall exhibit for compensation any circus performance or exhibition, or any circus or menagerie, shall pay for a license so to do not less than fifty dollars nor more than one hundred dollars for each days performance: *And, provided*, that any street parade of any circus, or circus and menagerie, shall be deemed a part of such exhibition, and the person or persons so giving any such street parade shall pay for a license so to do not less than fifty dollars nor more than one hundred dollars for every such parade, unless such person or persons shall have previously obtained a license from the said city for the giving of a circus or circus and menagerie.

**6. Concert or Minstrel Entertainment under Canvass.]**

§ 6. Any person or persons who shall give under a covering of canvass any concert, musical or minstrel entertainment, or any side show, shall pay for a license so to do not less than five dollars nor more than twenty-five dollars for each day.

**7. Other Exhibitions—Charitable purposes excepted.] §**

7. Any person or persons who shall show or exhibit for compensation, any exhibition, show or amusement, not in this ordinance specifically named or provided for, shall pay for license not less than two dollars nor more than twenty-five dollars for each day such exhibition, show or amusement shall continue: *Pro-*

*vided*, that the Mayor may grant licenses free for musical parties or concerts, exhibitions or amusements given for any purely charitable purpose.

**8. Penalty.]** § 8. Any person or persons, firm, company or corporation, who shall do or transact any business, make any exhibitions, or give any performance, or do any act or thing prohibited by this ordinance, except in accordance with its provisions, shall be subject to a fine of not less than eight nor more than two hundred dollars for each and every offense.

## CHAPTER II.

### ANIMALS—IMPOUNDING—RUNNING AT LARGE.

**9. Penalty for Running at Large.]** § 1. It shall be unlawful for any domestic animal of the species of horse, mule, ass, cattle, swine, sheep, goats, or goose to run or go at large at any time within the corporate limits of the City of Centralia, and any person being the owner, possessor, or keeper of any such animal or animals who shall suffer or permit the same to run or go at large in said city in violation of this section shall be subject to a penalty of five dollars for each and every animal so permitted to run or go at large, together with the fee of impounding, and the expense of sustenance for such animal or animals when impounded, as hereinafter provided: *Provided, however*, that where such animals have not trespassed upon any private property, and no person feeling himself aggrieved has filed complaint against the person or persons violating this section, then such person shall be subject to a penalty of only one dollar for each and every animal so permitted to run or go at large, together with the fees for impounding and the expense of sustenance of such animals, to be paid to the Pound Keeper upon the release of such animals from the pound hereinafter mentioned.

**10. Herding Cattle, etc., in City, Staking out.]** § 2. It shall be unlawful to tie or fasten any animal enumerated in the above section to any stake, tree, post, fence, or by any other method permit the same to be fastened for the purpose of grazing upon any street, alley or public ground in this city, or to be held out by means of rope or other fastening, or herded upon any street, alley or public ground in said city for the purpose of grazing, and every owner of any such animal who shall violate the provisions of this section shall be subject to a fine of five dollars for each offense, and such animal shall be deemed running at large within the meaning of this chapter, and shall be subject to being impounded as herein provided for cattle running at large.

**11. Police to Impound.]** § 3. It is hereby made the duty of the Pound Keeper, City Marshal and the several members of the police force of said city, to take up every and any animal aforesaid, known to him or them to be unlawfully at large contrary to the provisions of this chapter, and to confine the same in the pound within the city, to be provided for that purpose by the City Marshal under the direction of the Mayor and the Committee on Police.

**12. Any Person Damaged may Impound.]** § 4. Any person injured or inconvenienced, or who may be in danger of being injured either in person or property by reason of the unlawful running at large in the city of any animal hereinbefore mentioned, or whenever any such animal shall trespass upon any private property, said person, or the owner or occupant of said private property, may take and drive such animal to the city pound, and it shall be the duty of the Pound Keeper to receive and impound the same.

**13. Fees—Food for Animal.]** § 5. The Pound Keeper shall provide, at his own expense, the necessary food and drink for all animals so impounded during the time they are so impounded, and he shall be paid therefor, and for his services for impounding and keeping the said animals, as follows, to-wit: For the taking and impounding of each hog, goat, sheep or goose, the sum of twenty-five cents per head, and the additional sum of twenty-five cents per head for feeding and caring for the

same during each and every day the same are so impounded; and for taking and impounding each horse, mule, ass or head of cattle, the sum of fifty cents, and the additional sum of seventy-five cents per head for each and every day for feeding and caring for the same while so impounded; all of said fees to be paid by the party obtaining the release of such animal before the same is released.

**14. Duties of Pound Keeper.]** § 6. When any animal or animals have been impounded as aforesaid, and the owner or person entitled to the possession of the same shall fail to appear within twenty-four hours after the impounding and pay the fees and charges required for their redemption, it shall be the duty of the Pound Keeper to make complaint in writing before some Police Magistrate or Justice of the Peace of the city, giving a general description of the animal or animals so impounded, the date of such impounding, and the name of the owner thereof, if known to the complainant, and thereupon the Magistrate shall issue a warrant against the owner or keeper of such animal for permitting the same to run at large in violation of the provision of this chapter, and upon the return of the warrant duly executed, or the defendant appearing in court, like proceedings shall be had as in other cases for the recovery of fines or penalties under the ordinances, and if the defendant is found guilty, judgment shall be rendered against him for the penalty, impounding fees, costs of sustenance and costs of suit, and an order shall be entered that such animal or animals shall be sold to satisfy such judgment and costs, unless the same shall be forthwith paid.

**15. Notice to Unknown Owners.]** § 7. When the owner of any animal is unknown complaint shall be made in like manner provided in the preceding section hereof against the "unknown owner" of such animal, describing the same, and thereupon the Magistrate before whom such complaint is made shall issue a notice in substance as follows:

POUND NOTICE.

Whereas complaint has this day been made before me that the unknown owner of the following described animal, to-wit:..... .... .... impounded at..... on the .... day of .... 18..

has permitted the same to run at large contrary to the provisions of section..... of chapter..... of the revised ordinances of the City of Centralia.

Now, therefore, notice is hereby given that a trial will be had upon the said complaint at my office, in the City of Centralia, on the ... day of....., 18.., at the hour of..... M, when and where the unknown owner, or other person interested therein, may appear and defend if he shall see fit so to do.

Witness my hand and seal this ..... day of .. ...., 18...  
.....(SEAL.)

**16. Posting Notices.]** § 8. The day named in said notice for trial shall not be less than five days nor more than ten days from the issuing of the same, and it shall be the duty of the City Marshal to forthwith post three copies of said notice, to-wit: One at the place where the animal is impounded, one at the front door of the City Hall, and one at the office of the Magistrate issuing the notice, and to make due return thereof, showing the time and manner of such posting.

**17. Proceedings.]** § 9. The Justice or Police Magistrate issuing said notice shall enter the case upon his docket as follows: City of Centralia vs. The unknown owner of (here describe the animal). And upon the day set for trial, and the return of the notice executed as in the last preceding section hereof, like proceedings shall be had as in cases of personal service or appearance. In all cases of trial for a violation of this chapter the defendant may have the cause tried by jury if he shall so demand before the trial is entered upon, and advance the fees as provided by statute in trials of civil cases before Justices of the Peace, where jury is called for.

**18. Judgment—Order of Sale.]** § 10. Upon the rendition of any judgment, as provided in the last three preceding sections, the Magistrate rendering the same shall issue to the City Marshal an order of sale which shall be substantially as follows:

The People of the State of Illinois.

To ..... City Marshal in and for the City of Centralia or any Constable of the County of Marion.

GREETING: We command you that of the following described goods and chattels, towit: (Here describe the animal), the property of .....

....., you make the sum of ..... dollars and ..... cents debt, and the sum of ..... dollars and ..... cents costs, which the City of Centralia lately recovered before me against the said ..... and hereof make due return in what manner you execute the same.

Given under my hand and seal this ...day of ...., 18..

..... (SEAL.)

Which order shall be returned by the City Marshal within thirty days from the date thereof to the Magistrate issuing the same, with an indorsement thereon showing when and how the same was executed.

**19. Sale Notices.]** § 11. Upon the receipt of such order the City Marshal shall immediately post or cause to be posted, three sale notices in like places as provided in Section eight of this chapter, which may be in substance as follows:

POUND SALE NOTICE.

Taken up and impounded in the city pound of the City of Centralia at (here state place of pound) the following described animal (or animals,) (here describe the same) which said animal (or animals) unless redeemed will be sold at public auction for cash, to the highest bidder, at said pound at the hour of ... M on the ..... day of ....., 18..  
..... City Marshal.

**20. Sale.]** § 12. The day of sale mentioned in said notices shall be not less than three days nor more than five days after the posting of the same, and if such animals are not redeemed, the City Marshal shall sell the same in accordance with said notice, and all animals belonging to different owners shall be sold separately. *Provided, however,* said City Marshal, for want of bidders or other sufficient cause, may adjourn said sale from day to day until the same is completed, and the City Marshal shall make return to the Magistrate with the order for said sale, and pay to the docket the surplus of the proceeds thereof after deducting his fees, and no animal shall be sold by said City Marshal without first having been ordered and notices thereof been posted as herein provided, and no City Marshal or Pound Keeper shall purchase any animal at such sale, directly or indirectly, under a penalty of not less than ten dollars nor more than one hundred dollars.

**21. Record of Sales.]** § 13. The Pound Keeper shall keep in a suitable book a record and brief description of all animals impounded, with the date of the impounding of the same and the owner's name, if known, and also a statement of the disposition of the animal, when and by whom redeemed, or in case of sale the date of sale and name of purchaser and the amount received therefor, which book shall be open for inspection of all persons interested therein. He shall monthly, on the first day of each month, pay over to the City Treasurer all moneys received by him, in excess of the costs, fees and expenses allowed him, and the Justice or Police Magistrate for the impounding, sustenance and sale of such animals, and court costs, and the Treasurer shall receipt therefor and keep an account thereof.

**22. Surplus.]** § 14. If the owner of any animal impounded and sold as aforesaid, shall within three years from the sale apply and prove the ownership thereof by written affidavits, to the satisfaction of the said City Marshal and the Magistrate before the paying of the money into the city treasury, he shall pay the surplus due from the sale of such animal to such applicant, taking his receipt therefor. And if any surplus proceeds of such sale shall have been paid into the treasury, as provided in the last preceding section, the owner of the animal or animals so sold shall be entitled to receive the same less all costs and charges which may have accrued to the officers of said city, upon presenting to the City Council, within three years from said sale, a proper petition and satisfactory proof of ownership, together with a certificate of the Magistrate or the Treasurer of the amount of such surplus.

**23. Releasing or Interfering With Impounding.]** § 15. Whoever shall break open any city pound, or shall take or attempt to take any impounded animal therefrom, without the consent of the Pound Keeper, or who shall resist, hinder, delay or obstruct the Pound Keeper, City Marshal, police or other person while taking or driving to the city pound any animal found unlawfully at large, or upon public ground in this city, contrary to the provisions of this chapter; or who shall in any manner attempt to prevent the impounding of such animal, shall, upon conviction, be fined not less than five dollars, nor more than one hundred dollars for each offense.

**24. Wrongfully Procuring Impounding of Animals.] §**

16. Whoever shall take or drive any animal or animals from any inclosed lot or ground, pen, stable or other building, or from without the limits of the city to any pound within the city, with the intent of procuring such animal to be impounded, shall, upon conviction, be subjected to a penalty of not less than five dollars nor more than one hundred dollars for each offense.

**25. Animals or Teams after 12 at Night.] § 17.**

Any police officer who may find any horse, mule or team upon any street or alley in said city, without any owner or person in charge thereof, after twelve o'clock at night, shall be authorized to take such animal or team to the city pound or other safe place, to be there kept and supplied with food and drink until the owner or person entitled to possession shall appear, prove his ownership and pay the proper charges thereon, which shall be a lien on said animal or team until paid.

**26. Cruelty to Animals.] § 18.**

Whoever shall, within the city of Centralia, inhumanly, cruelly, unnecessarily beat, abuse or otherwise maltreat any dumb animal, or shall overload or overdrive any horse, mule or team, shall be subject to a penalty of not less than five dollars, or more than fifty dollars for each offense.

**27. Failure to Feed Animals.] § 19.**

Whoever shall, in said city, inhumanly or unnecessarily fail to provide any dumb animal owned or kept by him with proper and necessary food and drink shall be subject to a penalty of not less than five dollars, nor more than ten dollars for each and every day after conviction he shall continue such offense, and to a penalty of three dollars for the first offense.

**28. Abandoning Animals in City—Dead Animals.] § 20.**

Whoever being the owner or in possession of any horse, mule, cow, or other domestic animal, which by reason of old age or sickness is practically worthless, shall abandon or turn the same loose in this city; or whoever shall be the owner or possessor of a dead mule, horse, cow, or other domestic animal, and shall neglect or refuse for a period of twenty-four hours to bury the same shall be subject to a fine of not less than five dollars nor more than fifty dollars for each offense.

## CHAPTER III.

## AUCTIONS AND AUCTIONEERS.

**29. Auctioneers shall have License.]** § 1. Every person, persons or firm who shall transact the business of auctioneer, or expose for sale at auction any goods, chattels, wares or other property, shall pay for license so to do at the rate of not less than three dollars nor more than ten dollars for each day such person, persons or firm shall make sales at auction within the limits of this city: *Provided*, that license as required in this chapter may be granted for one year at the rate of not less than twenty-five dollars nor more than one hundred and twenty-five dollars per annum.

**30. Penalty.]** § 2. Every person, persons or firm who shall sell or attempt to sell, at public auction within said city, any goods, chattels, wares or other property, without first having obtained a license so to do, shall be subject to a fine of not less than eight nor more than two hundred dollars for each offense.

**31. Sales under Legal Process.]** § 3. This chapter shall not apply to sales of the effects of deceased persons when sold by order of an executor or administrator, or to sales made under any chattel mortgage or trust deed, or under any legal process or order of court.

## CHAPTER IV.

## BILLARDS, BOWLING ALLEYS, SHOOTING GALLERIES, ETC.

**32. Billiards, etc.—Must have License.]** § 1. It shall be unlawful for any person or persons to keep for use within the City of Centralia in any saloon, restaurant, eating house, hotel or other place of public resort a billiard table, bagatelle, pigeon table, pool table, or any other table or instrument kept or used for similar purposes, or any pin alley, bowling alley or shooting gallery, without first having obtained a license therefor, and no person shall keep any unlicensed billiard table, bagatelle or pigeon table, pool table, or other similar table or instrument, or any pin or bowling alley or shooting gallery in or in connection with any saloon, restaurant or other place of public resort, whether used or not, and any shift or device to evade this ordinance shall be held a violation of the same.

**33. License.]** § 2. The license fee for each billiard table, pool table, pigeon table, bagatelle table, or other table kept for similar purpose shall be ten dollars per annum, and the license fee for each bowling alley, shooting gallery or other similar places of amusement shall be ten dollars per annum. *Provided, however,* license may be granted for a less time at the rate of one dollar per day for any or the above purposes; all such license shall be taken out in the time and manner as is provided in the chapter of this ordinance regulating the issuing of licenses, and each license shall specify the name of the licensee, the place where said tables are kept or where such business is conducted, and the purpose for which it is granted, and they shall be appropriately numbered.

**34. Penalty.]** § 3. Whoever shall keep for use any of the above mentioned tables, games or devices upon his premises or the premises occupied by him without first having obtained a license for the same according to the terms of this chapter shall be subject to a fine of not less than five dollars nor more than fifty dollars for each of such tables or amusements for the first offense and an additional fine of five dollars per day for each day said offense shall be so continued after the first conviction.

## CHAPTER V.

## BILL POSTERS.

**35. Shall not Carry on Business of Bill Poster without License.]** § 1. It shall be unlawful for any person or persons, without having first obtained a license so to do, to carry on the business of bill posting within this city, or to keep or carry for distribution along or upon any of the streets, alleys, public grounds or sidewalks of this city any advertisements, hand bills, posters, or notices of any kind, except legal notices, or to post up any advertisements, hand bills, posters, or notices of any kind, except legal notices, unless such person or persons shall have obtained a license so to do, under a penalty of not less than five dollars nor more than one hundred dollars for each offense.

**36. Rate of License.]** § 2. License to carry on the business of bill poster may be issued at the rate of ten dollars per year and a proportionate sum for any shorter period: *Provided, however,* that no such license shall be issued for a less sum than one dollar.

**37. Not to Post Advertisements, etc.]** § 3. No person shall post, paste, paint or nail, or otherwise fasten or append any advertisement, handbill, poster or notice of any kind on any curb stone, flag stone or sidewalk, or upon any tree, lamp post, hitching post, awning post, telegraph post, telephone post, electric light post, bridge or hydrant, or upon any bill-board, wall, door, gate or fence, without the consent in writing of the owner or owners thereof, under a penalty of not less than five dollars nor more than one hundred dollars for each offense.

**38. Not to tear down any Bill or Poster, etc.—Penalty.]** § 4. Any person or persons who shall destroy, tear, mutilate, cover over or otherwise deface or injure any advertisement, bill, poster, or notice of any kind, posted in such place or places as may be permitted, without the consent of the person or persons on whose behalf the same shall have been posted, shall be fined, upon conviction, in any sum not less than five dollars and not more than one hundred dollar for each offense.

## CHAPTER VI.

## BOUNDARIES OF CITY AND WARDS.

**39. City Boundaries.]** § 1. All that territory embraced within the following limits, to-wit: The south half of section seven, the south-west quarter of section eight, the west half of section seventeen, all of section eighteen, the north half of section nineteen, and the north-west quarter of section twenty, in town one north, range one east of the Third Principal Meridian, in Marion county; and that portion of the south-east quarter of the north-east quarter of section thirteen which is laid out, platted and recorded as "Pullen and Hamm's Boulevard Addition," and the tract of land abutting said addition on the north side thereof, being one hundred feet in width and nineteen (19) chains and sixty-eight and one-half (68½) links in length, commonly known and called Miller or Fair Ground Avenue, being a portion of said south-east quarter of the north-east quarter, and of the north-east quarter of said north-east quarter of section thirteen; also that portion of said north-east quarter of the north-east quarter of section thirteen which is laid out, platted and recorded as "Kerr's Elmwood Addition to the City of Centralia," all in town one north, range one west of the Third Principal Meridian, in Clinton county, Illinois, shall be and is hereby declared to be the City of Centralia, Illinois.

**40. Extension of City Limits.]** § 2. The above described limits of said city may be extended from time to time by the addition of land outside the same and abutting thereon being annexed in the manner provided by statute relative to the annexing of territory to cities and villages.

**41. Number of Wards.]** § 3. The City of Centralia is and shall be divided into five wards, each of which shall comprise the territory hereinafter described.

**42. First Ward.]** § 4. The First Ward shall consist of all that territory which lies north of Second North street, Noleman street, and a line extended parallel with Noleman street east-

wardly to the east limits of said city, and east of Poplar street and its extension, and Lincoln avenue, and a line extended parallel with Lincoln Avenue northwardly to the north limits of said city.

**43. Second Ward.]** § 5. The Second Ward shall consist of all that territory which lies west of Poplar street and its extension and Lincoln Avenue and a line extended parallel with Lincoln Avenue northwardly to the north limits of the city and north of Second North street, and of a line extended parallel thereto westwardly to the western limits of said city.

**44. Third Ward.]** § 6. The Third Ward shall consist of all that territory which lies south of Second North street and its extension to the western limits of the city, Noleman street and a line parallel thereto extending eastwardly to the east limits of said city, and north of First South street between the western limits of the city and the Illinois Central Railroad Company's right of way, and east of said right of way north of Second South street, Frazier Avenue and a line extended eastwardly parallel with said Frazier Avenue to the eastern limits of the city; also Pullen and Hamm's Boulevard Addition and Kerr's Elmwood Addition to the City of Centralia.

**45. Fourth Ward.]** § 7. The Fourth Ward shall consist of all that territory which lies south of Second South street, Frazier Avenue and a line extended parallel therewith eastwardly to the east limits of said city, east of the Illinois Central Railroad Company's right of way between Second South and Calumet streets, and east of Locust street from Calumet street south to Kaskaskia street and east of the east line of Wm. M. Anderson's sub-division from Kaskaskia street south to the city limits.

**46. Fifth Ward.]** § 8. The Fifth Ward shall consist of all that territory which lies west of the Illinois Central right of way and south of First South street to Calumet street and west of Locust street south from Calumet street to Kaskaskia, and west of the east line of Wm. M. Anderson's sub-division south from Kaskaskia street to the southern limits of the city.

## CHAPTER VII.

## BRIDGES.

**47. Not to Lead, Drive or Ride Faster than a Walk Over Bridges—Penalty.]** § 1. Whoever shall lead, ride or drive faster than a walk, upon or over any bridge within this city owned or controlled in whole or in part by said city, shall be fined in a sum of not less than five dollars nor more than fifty dollars for each offense; *Provided*, there shall be posted on such bridge a notice warning against leading, riding or driving thereon faster than a walk; otherwise it shall be no offense.

**48. Not to Collect in Crowds on Bridges—Penalty.]** § 2. It shall not be lawful for persons to collect and loiter in crowds where more than three are assembled, upon any bridge within said city. Any person or persons violating the provisions of this section shall be fined not less than five dollars and not more than fifty dollars for each offense.

**49. Injury to Sidewalks and Bridges—Penalty.]** § 3. If any person shall purposely destroy or injure any sidewalk, public bridge, culvert, causeway or crossing in said city, or remove any of the timber, plank or any portion thereof, or obstruct the same, he shall be fined in any sum not less than five dollars nor more than one hundred dollars for each offense.

**50. Driving Steam Engines Over Bridges, Except, etc.—Penalty.]** § 4. It shall be unlawful for any person or persons to drive a steam engine over any bridge or culvert in this city, without using at least two sound, strong planks, and, where necessary, four, each to be not less than twelve feet long, one foot wide, and two inches thick; two of said planks to be kept continuously under the wheels of said engine while crossing said bridge or culvert. Any person or persons violating the provisions of this section shall be fined not less than five dollars and not more than fifty dollars for each offense.

## CHAPTER VIII.

## BUILDING, FIRE LIMITS AND PRECAUTIONS AGAINST FIRE.

**51. Fire Limits.]** § 1. That it shall not be lawful for any person or persons in said city to erect, build or place any wooden building or buildings, upon any part or parts of any of the following described lots and blocks in the said City of Centralia, to-wit: Block 19, Block 20, Block 21, Block 28, Block 37, Block 35, Block 30 and that part of Block 29 described as follows, to-wit: Beginning at the north-east corner of said block, thence running west along the north line 80 feet, thence south parallel with the east line of said block 160 feet, thence east parallel with the said north line 80 feet, thence north on the said east line 160 feet to the place of beginning. Which lots and blocks, together with such other lots and blocks over which the provisions of this chapter may hereafter be extended, shall be known and designated as the "fire limits" of said city. And every person who shall violate the provisions of this chapter, shall, on conviction, be fined not less than fifty nor more than two hundred dollars for each and every offense.

**52. Erecting New Buildings.]** § 2. That no person shall hereafter erect any new building, nor add to, nor alter any building already erected within the fire limits of said city, without first having obtained a permit therefor in the manner hereinafter prescribed: *Provided*, that no permit shall be required for making ordinary repairs, either external or internal, which do not increase the size of such building or alter its condition as a fire risk.

**53. Building Permit.]** § 3. Any person desiring to erect such new building or addition, or to alter or change such existing building, shall file with the City Clerk an application in writing, addressed to the Mayor, stating the dimensions of such proposed building or addition, or, if alteration, the nature and extent thereof, the lot, block and locality where such building is or is to be located, the general plan and construction, the material to be used therein, and the purpose for which such build-

ing is to be used. If the Mayor shall find upon examination that the proposed building, addition or alteration conforms to the ordinances relative to the construction of buildings within said fire limits, he shall indorse his approval upon such application, and the Clerk shall thereupon issue a permit to said applicant under the seal of the city.

**54. Penalty.]** § 4. Any proprietor, contractor or other person or persons who shall own, build or aid in the erection of any building or part of building, or in the alteration of any building within the fire limits without having procured a permit therefor as provided in the foregoing section of this ordinance, shall, upon conviction, be fined not less than fifty dollars nor more than two hundred dollars for each offense, and shall be subject to a further fine of ten dollars for every day he or they shall fail to comply with the requirements of the above section, or shall continue in violation thereof.

**55. Definition.]** § 5. The term "wooden building" used in the first section of this chapter shall be understood to embrace and mean all buildings, or additions to buildings, tenements, houses, outhouses, stables, sheds and structures of every description, the outer walls of which are in whole or in part constructed or built of wood, whether the roofs of the same shall rest upon the walls thereof, or upon wooden, iron, brick or stone uprights, posts or pillars, and that all sheds or other structures, the roofs of which shall be supported, directly or indirectly, by wooden posts, or other fixtures, made in whole or in part of wood, be the same inclosed or not, are hereby declared to be within the meaning of the term "wooden buildings," as used in the first section of this chapter: *Provided*, that privies, designed and used exclusively as such, do not come within the provisions of this chapter.

**56. Penalty.]** § 6. Every person who may be duly convicted of the erection or placing of any wooden buildings, within the purview and meaning of this chapter, shall, within five days after such conviction, cause such wooden building, for the erection or placing of which he may have been convicted, as aforesaid, to be removed, and on failure, neglect or refusal so to

do, he shall be prosecuted and fined not less than ten nor more than two hundred dollars for each day such wooden building shall be suffered to remain, after the said five days from and after such conviction, as aforesaid.

**57. Removal of Building.]** § 7. When any person shall be convicted as aforesaid, and such wooden building shall not be removed within the said five days after such conviction, as provided in section six of this chapter, it shall be the duty of the Mayor to issue to the Marshal of said city a certificate, under his hand and the seal of said city, stating the fact and the time of said conviction, and designating the building for which said conviction may have been had. Such certificate shall be a sufficient warrant to said Marshal, and it is hereby made his duty to cause such building to be removed and demolished, and the costs and expenses thereof shall be recovered by action in assumpsit, in the name of said city, of and from the person or persons so convicted of erecting or placing the same as aforesaid.

**58. Repairs Prohibited.]** § 8. No wooden building, within the limits prescribed in section one of this chapter, which may hereafter be damaged by fire or otherwise to the extent of fifty per cent. or more of the value thereof, shall be repaired or rebuilt; nor any such building, when the damages are less than fifty per cent. of its value, shall be so repaired as to be raised higher than the same was before the damage shall have been sustained, or so as to occupy a greater space on the ground than before the injury thereto.

**59. Permission to Repair.]** § 9. The amount or extent of damages that may be done to any building shall be determined by three disinterested persons, residents of said city, one of whom shall be selected by the owner or agent of the building, the second by the Mayor of the city, and the two thus chosen shall select a third, and the decision of the persons so appointed shall be in writing and shall be filed in the office of the City Clerk. Any person who shall repair or rebuild any such building, without ascertaining the extent of the damages to be less than fifty per cent. aforesaid, or who shall repair or rebuild such building after

*S. A. Granger, May 6, 1909.*  
the damages to the same shall be found to exceed the said fifty per cent., as aforesaid, shall be subject to a fine of not less than twenty-five dollars nor more than two hundred dollars.

#### PRECAUTIONS AGAINST FIRE.

**60. Stove Pipes.]** § 10. That it shall not be lawful for any person to erect or use any stove or stove pipe in the City of Centralia, except in accordance with the following provisions of this chapter: Every stove in use shall be placed upon a floor or platform of bricks or zinc, or other incombustible material, of sufficient thickness and extent to prevent all danger of fire to any floor or wood-work from such stove, and all other fire places and hearths of every description shall be kept in good and sufficient repair to prevent any danger from fire. Stove pipes shall not be less than four inches from wood or other combustible material, unless there is a double circle of tin connected together, and air holes between the connection and the wood or other combustible substances. And all horizontal pipes or portions of pipe not perpendicular, shall be supported by wires, or other proper supports, so as to prevent all danger of the falling of such pipes. No stove pipe shall discharge or terminate at any distance less than three feet from the roof or any other wood-work of any building, so as to endanger the same; nor into any street or alley.

**61. Examination of Buildings.]** § 11. It shall be the duty of the Mayor, Aldermen, Marshal, chief and assistant engineers of the fire department in said city, to examine carefully, at all times during the year, every house, store, warehouse, shop or building, and places for keeping and depositing ashes, chips, or shavings, and to remove and abate any cause from which immediate danger to fire may be apprehended. To cause all buildings, chimneys, stoves, pipes, hearths, ovens, boilers, ash houses, ash barrels, smoke houses and all fixtures, things and apparatus used in or about every building, which shall be found in such a condition as to be considered unsafe, to be, without delay, at the expense of the owner or occupant thereof, put in such condition as not to be dangerous in causing or promoting fire.

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**62. Complaint of Unsafe Building.** § 12. That it shall be the duty of the Committee on Fire Department, upon the complaint made to them verbally or in writing by any citizen of the city, or at any time upon their own motion, to take with them some competent person and examine any and all chimneys, stoves, pipes, hearths, ovens and boilers complained of or thought by said committee to be unsafe, and if found in an unsafe condition, they shall forthwith notify the owner of the same, or his agent, to immediately fix and repair the same. If the owner or agent does not within three days after the service of said notice put said chimney, stove, pipe, hearth, oven or boiler in a safe condition, the committee or some member thereof, shall make a complaint before the Police Magistrate or a Justice of the Peace of the city against said owner or agent so notified, for a violation of this ordinance, and if upon trial of said owner or agent, he shall be found guilty of violating said ordinance, he shall, on conviction, forfeit and pay a fine of not less than eight dollars nor more than one hundred dollars for each and every offense; and for every twenty-four hours the said owner or agent shall refuse or neglect to put said unsafe chimney, stove, pipe, hearth, oven or boiler in a good and safe condition, after said conviction, he shall forfeit and pay the sum of ten dollars,

**63. Combustibles.]** § 13. No hay, straw, or other combustible material or substances shall be placed or deposited in said city within forty feet of any place where fire or ashes are kept, unless the same shall be kept in a close and secure building.

**64. Lights.]** § 14. No lighted candle or lamp shall be used in any stable, barn, or other place or building where hay, straw or other combustible material shall be kept, unless the said candle or lamp shall be secured in a lantern, nor shall any fire be kept in any store or other place in any such building or room where combustible material is kept, unless in such manner as the Chief Engineer or the City Marshal, by written permission, shall authorize and allow.

**65. Bonfires.]** § 15. No person shall, in any of the streets, lanes, avenues, alleys or public grounds of said city,

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make or kindle any fires, nor shall any person make or kindle any fire on any private lots in said city if there be danger of fire to any buildings in the neighborhood of the same.

**66. Penalty.]** § 16. Any person or persons who shall violate any of the provisions of the foregoing sections of this chapter, where special penalty is not provided, shall, on conviction, forfeit and pay a fine of not less than five dollars nor more than one hundred dollars for every offense.

**67. Officers.]** § 17. It shall be the duty of any and all the officers named in section eleven of this chapter to see that all the provisions herein are complied with, and to make complaint before a Police Magistrate for any violation of the same.

**68. False Alarms.]** § 18. Whoever, without reasonable cause, by outcry or otherwise, makes or circulates, or causes to be circulated, any false alarm of fire, shall be subject to a fine of not less than ten dollars nor more than two hundred dollars.

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## CHAPTER IX.

### CEMETERY.

**69. Boundaries.]** § 1. That a certain tract of land, being a fractional part of the southwest quarter of section number eight, in township number one north, range number one east of the Third Principal Meridian, in Marion County, Illinois, said to contain eight acres of ground, and purchased by the City of Centralia on the 30th day of July, A. D. 1869, of C. Floyd Jones and John G. Stevens, and a certain tract of land, being a fractional part of the southwest quarter of the northwest quarter of said section, laid out and platted on the fifth and sixth days of April, A. D. 1877, as an extension of the Centralia Cemetery, and said to contain about nine and one-quarter acres of ground, be and the same is hereby set apart and dedicated forever for burial purposes, and shall be called and known by the name of the "Centralia Cemetery."

**70. Reserved for Poor.]** § 2. That all the lots in ranges twenty and twenty-one, from and inclusive of numbers five to fifty-six, and in range number twenty-two from number five to twenty-eight of said cemetery, shall be reserved for and appropriated to the burial of poor persons and strangers who may not have other grounds provided for them.

**71. Reserved for Soldiers.]** § 3. That lots numbered one and two, in ranges number eighteen and nineteen in said cemetery, is hereby appropriated and set apart for the burial of soldiers of the United States army or militia of the State of Illinois, who may not have other ground provided for them.

**72. Sales for Single Graves.]** § 4. That all the lots, from number twenty-eight, in ranges number one and twenty-two, shall be sub-divided into lots of five feet in width by nine feet in length, making two tiers of lots in each of said ranges, which shall be known as the east and west tiers of lots of the respective ranges aforesaid; said lots shall be subject to sale as separate and distinct lots for the accommodation of persons who desire to purchase single graves; the price fixed upon said lots shall include the value of the land used and the interment of corpses.

**73. Record of Interment.]** § 5. That a record of the following data of each interment, to-wit: full name of deceased, date of death, place of birth, place of death, cause of death, age, sex, whether white or colored, name and address of attending physician, shall be kept by the keeper of the cemetery records in a proper book provided for that purpose; the keeper of the records shall also procure a plat book containing a plat of each and every one of the lots in said cemetery, on a scale of one quarter of an inch to the foot, and he shall accurately locate and trace upon said plat book the position and location that each interment occupies, as reported to him by the City Sexton, and he shall properly index said records.

**74. Sexton to Dig Graves—Reports Kept.]** § 6. That it shall be the duty of the Sexton to dig, without delay, all graves in said cemetery, on application to him being made by the owner or owners of any lot or lots, or by any other person having the right of interment therein, (said person presenting to him satis-

factory proof of said facts); to attend to every interment in person or by some competent deputy; to fill up and neatly trim the graves, immediately after depositing coffin; to fill up and trim all graves that have or thereafter may settle or sink in. He shall also keep the alleys, walks and avenues in good order and unobstructed, so that a free passage and access can be had to the lots; he shall keep on hand a reasonable number of blanks in the following form: Name of deceased ——, date of death ——, place of birth ——, nativity of parents ——, native, foreign born, place of death ——, age —, years —, months —, days —, single, married, widow, widower, white, colored, male, female, cause of death ——, name of attending physician ——, post office address ——. He shall furnish any and all persons applying for the digging of a grave one of said blanks for each and every death and require the return of said blank properly filled out as a condition precedent to the burial of the corpse; which report shall be filed with the City Clerk.

**75. Sexton to Make Returns.]** § 7. He shall make a return of said blanks, together with a report of the following facts, in relation to each and every interment, to-wit: The name of the person interred, the number of the lot and range, whether east or west tier of graves, the distance of grave from the south line of lot, and the length and breadth of grave, to the keeper of the cemetery records at least every thirty days and oftener if requested so to do by the said keeper of said records.

**76. Interment Report Recorded.]** § 8. It shall be the duty of the keeper of the said records, immediately after receiving the above mentioned reports, to proceed to record the same as heretofore provided for, and to endorse upon said reports the following facts, to-wit: On the interment report, the page of the interment record upon which the same is recorded, the number of the interment, the page of the plat book, the name of the deceased and the date of filing; on the report of location of graves, the pages of interment record, the interment numbers, pages of plat book, the time covered by the report and date of filing, and he shall file said reports in a convenient manner for future reference. The said record so kept shall be subject to the inspection of the City Council or any person or persons interested without fee.

**77. Sales of Lots Strictly for Cash.]** § 9. All sales of lots in said cemetery shall be strictly for cash in hand, and the Mayor shall in no case issue any order for a deed to any of said lots until the money therefor is actually paid into his hands, nor shall the Mayor or Sexton in any case permit or any wise allow any interment to be made in or upon any of said lots before the purchaser of such lot shall hold either an order for a deed to such lot or the deed thereto.

**78. Proceeds of Sale.]** § 10. The proceeds of all sales of said lots in said cemetery shall be and the same are hereby set apart and appropriated as a special fund to be used and expended on the said cemetery grounds and the same shall be so kept by the City Treasurer.

**79. Persons entitled to Burial—Poor Persons.]** § 11. No person or persons shall be entitled to burial in any of said grounds set apart for the burial of said poor persons or strangers mentioned above until the Mayor shall be satisfied by proper evidence that said person or persons offered for interment therein leaves no estate whatever wherewith to purchase a right of interment, and that the relatives of said person or persons are too poor to purchase the same; that is to say, such person or persons so offered, and their relatives shall be known to the Mayor to be what are known as paupers, and it shall be the duty of the Sexton to refuse to inter such person or persons except upon the written or printed order of the Mayor.

**80. Transfer or Conveyances.]** § 12. All transfers or conveyances of lots in said cemetery from one purchaser to another shall be recorded by the City Clerk, in a book provided for that purpose, and no transfer or conveyance shall be valid until it is so recorded.

**81. Sexton shall have Charge of Plat.]** § 13. The said Sexton shall have charge of a plat of the said cemetery, and shall, at the request of any person wishing to purchase, point out any of the lots unoccupied and for sale, and upon a selection being made such person shall apply to the Mayor of said city, who is hereby authorized to sell the same at such prices as the City Council may deem just. Upon the sale of any lot, the

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Mayor shall notify the City Clerk, who shall prepare a deed for the same, to be executed by the Mayor on behalf of the city, and attested by the City Clerk under the seal of the city; and the City Clerk shall keep a record of all lots sold under the provisions of this ordinance. He shall have the same marked on the plats in possession of the City Clerk and the City Sexton. The Mayor shall receive all moneys due the city on account of the cemetery, and pay the same over to the City Treasurer, taking his receipt therefor, and shall make a report of the same to the City Council at its next regular meeting. The City Clerk shall be entitled to receive one dollar for each deed or transfer executed under the provision of this ordinance.

**82. Interring Bodies without Permission.]** § 14. That if any person or persons shall dig or make any grave or inter any dead body in said cemetery without the permission or under the direction of the Sexton, he or they so offending shall, on conviction, forfeit and pay to said city not less than ten nor more than two hundred dollars for each and every offense: *Provided*, that nothing herein contained shall prevent any purchaser or owner of any lot or lots for bringing suit in his own name for any trespass committed thereon.

**83. Interments Five Feet Deep.]** § 15. All interments shall be made at least five feet deep, and the grave dug at least four and a half inches within the line of the lots; and all fencing, vaults or ornaments, that may be erected by individuals on their lots, shall be so erected so as not to obstruct or interfere with any of the adjoining lots, nor any of the alleys, walks or avenues, or the access to any of them, and every person violating the provisions of this section shall forfeit and pay the sum of not less than eight nor more than one hundred dollars for each and every offense.

**84. No Person Permitted to Open any Grave.]** § 16. That no person shall be permitted to open or cause to be opened any grave, or take up or remove, or cause to be taken up or removed, any body interred in said cemetery, without leave from the Mayor of said city, and under the superintendence of the said

Sexton; and the person on whose premises, or in whose house, office or possession, any such body may be found, shall be deemed guilty of taking up and removing the same; and every person violating the provisions of this section shall, on conviction, forfeit and pay any sum not less than ten dollars nor more than two hundred dollars.

**85. No Person shall Play within the Inclosure.] § 17.**

No person or persons shall play within the inclosure of said cemetery at any game of any sort or description whatever, or shall cut, mark, write upon, or in any manner injure or deface any tree, evergreen, shrub, grave-stone, tablet, tomb or monument on said ground, or shall in any manner cut, disfigure or injure the main fence or any of the inclosures within or around said cemetery, and every person so offending shall be fined in any sum not less than eight dollars nor more than two hundred dollars.

**86. Cemetery Ground at all Times Accessible.] § 18.**

The cemetery ground shall at all times be accessible to the public and all persons who may desire to improve any lot therein, or erect any monument or stone upon the same, shall have free access thereto: *Provided*, That no person shall be permitted to frequent or loiter in said cemetery after eight o'clock P. M.

**87. Owner of Lot Allowed to Plant Trees.] § 19.** No

person or owner of any lot shall be allowed to plant more than four trees on any one lot, nor shall any hedges be allowed to attain a height of more than two and one-half feet; and for every violation of this section, shall be fined in any sum not less than eight dollars nor more than fifty dollars.

**88. Report of Sexton.] § 20.** The said Sexton shall, at or before the last meeting of the City Council in each municipal year, make out and deliver to the City Clerk a full and correct report of the transactions of his office during the previous year.

**89. Clerk Custodian of Records.] § 21.** That the City Clerk shall be the custodian and keeper of the interment records of the Centralia Cemetery.

## CHAPTER X.

## DOGS..

**90. Register of.]** § 1. Every owner or keeper of any dog in the City of Centralia, shall, within thirty days after the first day of May in each year, apply and pay to the Pound Keeper the sum of one dollar for every male dog, and the sum of two dollars for every female dog owned or possessed by him; and thereupon the said Pound Keeper shall enter the name and residence of such owner or keeper, in a book to be kept by him for that purpose, and shall deliver to the person so applying a metallic tag or check, upon which shall be stamped the letter "R" and the year when issued, which check shall be securely attached by the owner to the collar of his dog.

**91. Running at Large.]** § 2. All dogs running at large in said city, without having a collar around their neck, with a metallic badge described in the preceding section attached thereto, are hereby declared a nuisance, and it shall be the duty of the Pound Keeper, City Marshal and all police in said city to take up any dog so running at large without such tag or check, and place the same in the dog pound to be provided by the Pound Keeper at the expense of the city for that purpose; which dog shall be kept in said pound for twenty-four hours, during which time the Pound Keeper shall supply the same with necessary food and water, and the owner or person entitled to possession of said dog, so impounded, may have the same released by paying the sum of one dollar in addition to the cost of registering the same and procuring a tag therefor, which shall be obtained before the same is released. All dogs impounded, if not released within twenty-four hours as herein specified, shall be removed by the Pound Keeper or some one appointed by him, beyond the limits of the city and destroyed.

**92. Reward for Dogs.]** § 3. The Pound Keeper is hereby authorized to offer a reward of fifty cents for every dog taken up within said city and delivered to him alive, to be paid from fees collected as aforesaid.

**93. Wrongfully Impounding, etc.—Penalty.]** § 4. Any person who shall remove a metallic tag or check from any dog, for the purpose of causing such dog to be impounded; or, who shall cause any dog to be impounded, knowing that such metallic tag or check has been removed from such dog for the purpose of having it impounded, or without the knowledge or consent of the owner or keeper thereof; or, any person who shall bring any dog into the city for the purpose of causing the same to be impounded; or, any person who shall resist, hinder or molest the said Pound Keeper or Marshal, or any police officer while engaged in the discharge of the duty herein enjoined upon them; or any person who shall break open the dog pound or release or deliver any dog therefrom, without having first paid the fees herein specified, shall, upon conviction of any one of the several offenses herein enumerated, be fined for each offense not less than five dollars nor more than one hundred dollars.

**94. Reports of Pound Keeper.]** § 5. Said Pound Keeper shall report on the first Tuesday in each month in writing to the City Council the number of dogs registered, the names of the owners, and the amount of fees taken in therefor, also the number of dogs impounded, the number redeemed, the name of the party redeeming them and the amount of fees derived therefrom; also the number of dogs removed or destroyed under the provisions of this chapter. And the said Pound Keeper shall also pay over to the City Treasurer all surplus in his hands after deducting his fees, which shall be as follows: Fifty cents for each dog registered and tag issued, and fifty cents for each dog impounded, provided said dog shall be redeemed and the impounding fee paid therefor, and fifty cents for each dog removed from the pound outside the city limits and destroyed by the Pound Keeper as herein provided; also the amount paid out as rewards for dogs brought to the pound as herein provided, and the said Pound Keeper shall, in his monthly report to the Council, include an itemized account or statement of such fees so retained by him.

**95. Hydrophobia.]** § 6. Whenever danger from hydrophobia shall be deemed to exist in said city, the Mayor may, by proclamation or notice published in some newspaper of general

circulation in said city, notify and require all owners and persons keeping dogs in said city to confine the same, or securely muzzle the same for such time as may be designated in such proclamation or notice, or until otherwise ordered by the City Council. All dogs found running at large contrary to the provisions of this section, during the time in said proclamation or notice specified, shall be killed by or under the directions of the Pound Keeper or City Marshal, or any person designated by either of them, and removed from the city, and for every dog so killed and removed the officer or person appointed by him shall be allowed the fee of one dollar for the same.

**96. Vicious Dogs.]** § 7. If any owner or possessor of a fierce or dangerous dog shall permit the same to go at large in the city, whether registered or not, to the danger and annoyance of the inhabitants, he shall be fined not less than five dollars nor more than fifteen dollars, and upon second conviction the City Marshal shall cause the dog, on account of which the conviction was had, to be slain and buried.

**97. Destruction of Biting Dogs.]** § 8. Whenever affidavit shall be made before a Magistrate or Justice in said city that any dog has bitten a person in said city, and that the person so bitten was not at the time trespassing upon the person or property of the owner or possessor of said dog, and had not in any way wrongly attacked or provoked said dog, the Magistrate or Justice shall issue an order directing the owner or possessor of said dog to kill the same within twenty-four hours thereafter, which order shall be served by the City Marshal; and the owner or possessor who shall refuse or neglect to kill such dog within twenty-four hours from the service of such order shall be fined not less than five dollars nor more than fifteen dollars, and a further sum of two dollars for every day thereafter. And it shall be the duty of the Marshal or police officers to kill said dog whenever it shall be found at large in the city after the first twenty-four hours have elapsed.

**98. Female Dog in Heat.]** § 9. Any owner or keeper of any bitch or female dog, who shall knowingly suffer or permit the same to run at large while in heat, whether registered or not,

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shall upon conviction be fined not less than five nor more than fifteen dollars for each offense, and such female dog may be killed by the Marshal or police of said city whenever found running at large on the streets of said city while so in heat.

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## CHAPTER XI.

### DRAM SHOPS.

**99. Definition.]** § 1. A dram shop is a place where spiritus, vinous or malt liquors are retailed by less quantities than one gallon, and intoxicating liquors shall be deemed to include all such liquors within the meaning of this chapter.

**100. Shall not Sell without License.]** § 2. Whoever, not having a license to keep a dram shop, shall, by himself or another, either as principal, clerk or servant, directly or indirectly, sell any intoxicating liquor in any quantity less than one gallon, or in any quantity to be drank upon the premises, or in or upon any adjacent room, building, yard, premises or place of public resort, shall be fined not less than twenty dollars nor more than two hundred dollars: *Provided*, that druggists, or persons whose chief business it is to sell drugs and medicines, shall not be deemed to be within the provisions hereof, in selling any of said liquors in quantities less than as aforesaid for purposes purely medicinal, mechanical or sacramental: *Provided*, that any druggist desiring to avail himself of the above provisions shall first obtain a license so to do for which he shall pay the sum of two dollars per annum in advance: no druggist license to be issued for such purpose for a less period than one year, and said license may be revoked by the City Council for good and sufficient cause.

**101. Hours when shall not Keep Open.]** § 3. That any person who may obtain a license, or who shall have heretofore obtained a license from said city to keep a dram shop, shall not, by himself or another, either as principal, clerk or servant, be permitted to keep his dram shop open or accessible from eleven o'clock p. m. on each and every Saturday until four o'clock

a. m. on each and every next succeeding Monday, nor suffer or permit any person or persons other than the proprietor to frequent the same between said hours, or drink any of said liquors whether they pay for the same or not; nor shall any person licensed to keep a dram shop under this chapter by himself or another, either as principal, clerk or servant, be permitted to keep his dram shop open or accessible, nor shall he suffer or permit any person or persons other than the proprietor, clerk or servant, to be or remain in said dram shop between eleven o'clock p. m. and four o'clock a. m., during the rest of the week; nor shall any person licensed to keep a dram shop under this chapter, by himself, or another, either as principal, clerk or servant, suffer or permit any gambling, or riotous, disorderly, indecent or offensive conduct of any kind whatever to be practiced in or about such dram shop, nor shall it be lawful for any person licensed under this chapter, by himself or another, either as principal, clerk or servant, to sell or give intoxicating liquors to any minor without the written order of his parent, guardian or family physician, (such order shall only be good for the day of the date thereof), or to any person intoxicated, or who is in the habit of getting intoxicated, nor to suffer any minor, or any person intoxicated, or who is in the habit of getting intoxicated, to drink any of said liquor in or about his dram shop nor to permit any minor, any person intoxicated or who is in the habit of getting intoxicated, to frequent, remain at, be harbored about, or to play at any game whatever in or about such dram shop, nor shall it be lawful for any person licensed under this chapter, by himself or another, either as principal, clerk or servant, to permit any card playing or gaming by means of cards, dice, dominoes or other article or thing of luck, or chance, for money or other valuable thing, in or about any such dram shop; and every person convicted of any of the offenses enumerated in this section, shall forfeit and pay not less than ten dollars nor more than two hundred dollars for every offense.

**102. License may be Granted.]** § 4. License may be granted to keep a dram shop under this chapter under the following terms and conditions.

1. For a dram shop license at the rate of five hundred dollars per annum in advance. For a license to sell malt liquors at the rate of two hundred and fifty dollars per annum, in advance. No person shall be licensed to keep a dram shop at more than one place at the same time.

**103. License May be Revoked.]** § 5. Any dram shop license granted may be revoked by the Mayor whenever the person licensed has been convicted of violating any the provisions of this chapter, or of keeping a disorderly or ill-governed house, or place of resort for idle or dissolute persons, or of allowing any illegal gaming in his dram shop or in any house or place adjacent thereto.

**104. Malt Liquors Only.]** § 6. Any person having a license to sell malt liquors only, who shall by himself or another, either as principal, clerk or servant, directly or indirectly, sell or give away any intoxicating liquors, other than malt liquors in a less quantity than one gallon, or in any quantity to be drank upon the premises, or in or upon any adjacent room, building, yard or place of public resort, shall for each offense be fined not less than twenty dollars nor more than one hundred dollars. A conviction under this section shall forfeit the license held by the defendant, and the court rendering judgment upon such conviction, shall in such judgment declare a forfeiture of such license.

**105. Giving Away Prohibited.]** § 7. The giving away of intoxicating liquors or other shift or device, to evade the provisions of this ordinance, shall be held to be an unlawful selling, and shall subject the offender to the same penalties as are provided in section two of this chapter.

**106. To be Governed by Ordinances.]** § 8. All persons taking out license under this ordinance shall be subject to and be governed by the ordinances of said city now in force, or that may hereafter be passed, in relation to any of said licenses, or to the business connected therewith, and no person shall be deemed to be duly licensed to keep a dram shop under this ordinance unless he has paid the amount charged for the same, duly executed a bond as required, and unless the license has been actually issued and delivered to him.

**107. May be Closed by Proclamation.—The Mayor May Issue.]** § 9. In all cases where, in the opinion of the Mayor or the City Council, the public peace is likely to be endangered by the keeping open of dram shops, it shall be lawful for the Mayor to issue his proclamation, under the seal of the city, commanding and enjoining all persons licensed by said city to keep a dram shop, and their servants and agents, to close their shops and places of business for such time as the said Mayor or City Council may deem necessary, and neither to sell, give away, nor suffer to be drunk, any of said liquors in or about their premises during the time mentioned in said proclamation, and if any person shall disobey said proclamation by keeping open, or permitting to be kept open, or accessible, his dram shop, or by selling, giving away, or suffering to be drank, in or about his premises, any of said liquors, he shall forfeit and pay a sum not less than ten nor more than two hundred dollars.

**108. Officers to Enter.]** § 10. It shall be the duty of the Mayor and City Marshal to be active and vigilant in enforcing the provisions of this ordinance, and all persons licensed to keep a dram shop, as aforesaid, shall be required to permit the Mayor or any police officer of said city to enter their premises at any time such Mayor or officer may deem proper in the discharge of any duty imposed upon him by the laws of the State or the ordinances of said city, and if any person licensed to keep a dram shop, as aforesaid, shall refuse to permit the Mayor or any police officer to enter upon his premises as aforesaid, he shall on conviction, be fined in any sum not less than twenty-five dollars nor more than one hundred dollars for every offense.

**109. Clerk's Duty.]** § 11. It shall be the duty of the Clerk to report to each regular meeting of the City Council the names of all persons whose license have expired, and where the same have not been renewed.

## CHAPTER XII.

## DRAYS, WAGONS, CARTS AND OTHER VEHICLES.

110. **License.]** § 1. That any person who shall either directly or indirectly use for hire in the transportation of any person or persons or any article of personal property whatever, any wagon, cart, dray, hack, or other vehicle, within the limits of said city, shall pay for a license so to do ten dollars per annum. License under this section may be granted by the day at the rate of one dollar per day. That the above shall apply and be construed to apply to any person or persons who shall, either directly or indirectly, use for hire any wagon, cart, dray, or other vehicle within this city, or on the streets of this city in the transportation of persons or property from one part of the city to another: *Provided*, that this section shall not apply to livery men in the regular pursuit of their ordinary livery stable business.

111. **Evasion—Penalty.]** § 2. The hiring of the owner or driver of any said vehicle to work by the day or job, and the use of said vehicle and team thereupon gratuitously furnished by said owner or driver, or the hiring of said vehicles by the day or any other shift or device to evade the provisions of this chapter, shall be held unlawful. Any person or persons who shall violate this section or the preceding section shall be subject to a fine of not less than five dollars nor more than fifty dollars for each offense.

112. **Rates to be Charged.]** § 3. All persons licensed under this chapter shall not charge more than twenty-five cents for each passenger, nor more than fifty cents per load for two horse wagons or vehicles, nor more than twenty-five cents per load for one horse vehicles for any distance within the city limits, nor more than three dollars per day for any such vehicle when employed by the day in said city.

113. **Stands for Vehicles.]** § 4. The Council shall from time to time by resolution duly passed, designate such places in each ward as they may deem proper, at which wagons, carts, drays, hacks and other vehicles licensed under this chapter shall stand

while waiting for employment and while not employed, and any owner or driver who shall stand with his vehicle while waiting for employment at any other place or places than those so designated by the Council, or who shall neglect or refuse to stand at such places with his vehicle while waiting for employment, shall be subject to a fine of not less than five dollars nor more than fifty dollars for each offense.

**114. Refusing to Carry—Over Charging.]** § 5. That every owner or driver of any vehicle licensed under this chapter who shall refuse to carry any article of personal property, or any person or persons, when applied to for that purpose, his proper charges being tendered, and he being at such time unemployed; or having undertaken to convey such person or property shall neglect or omit to do so; or whenever such owner or driver shall charge for the services of himself and vehicle a greater price than is provided for such services by this chapter shall be subject to a fine of not less than five dollars nor more than fifty dollars for each offense.

**115. Numbering Vehicles—Transfer of License.]** § 6. Every owner or driver of a vehicle licensed under this chapter shall have the number of his license conspicuously painted upon his vehicle, which number shall be erased when such license shall expire. No license issued under this chapter shall be transferred, except upon the consent of the Mayor and the City Clerk endorsed thereon, and the payment to the Clerk of a transfer fee of fifty cents; and the Clerk shall keep a record of all transfers. A violation of this section shall subject the offender to a penalty of not less than five dollars nor more than fifty dollars.

## CHAPTER XIII.

## ELECTIONS.

**116. Notifying and Calling of Elections.]** § 1. The notifying and calling of all elections, both general and special, designating the times and places of holding the same, appointing the judges and clerks of elections, and the manner of conducting and voting at the same shall be in conformity to the provisions of the statutes of the State of Illinois, in such cases made and provided.

**117. The City Clerk shall Purchase.]** § 2. The City Clerk shall purchase and provide, at the expense of the city, the necessary booths and the supplies and conveniences for the same, including shelves, pens, penholders, ink, blotters and pencils, ballot boxes, blanks and tally sheets, for each ward or voting place; and it shall be his duty, at the expense of the city, to prepare and place in proper position such booths, and properly arrange and prepare such voting place at least one day previous to the holding of any such election. The City Clerk shall, also, at the same times and places that he is required by law to deliver the ballots for such election to the judges thereof, deliver such ballot boxes, tally sheets, blanks and supplies to the judges of said election.

**118. Ballot Box to be Examined.]** § 3. Before any ballot shall be deposited in the ballot box, the ballot box shall be opened and publicly exhibited, and the judges and clerks shall see that there is no ballot in such box; after which the box shall be locked and the key delivered to one of the judges, and shall not be again opened until the close of the polls.

**119. The City Council shall Canvass Returns.]** § 4. Immediately upon the receipt by the City Clerk of the certified returns of the election he shall notify the Mayor and the members of the City Council to meet at the usual place of meeting of the City Council, and at the usual hour of holding their stated meetings, not later than three days after the receipt of the certified returns of such election, at which meeting the

City Clerk shall lay before the Council the certified returns aforesaid; whereupon the City Council shall at once proceed to examine and canvass the same, declare the result of such election, and cause a statement thereof to be entered upon its journal.

**120. City Council to Decide Ties.]** § 5. Whenever it shall be ascertained that there is an equal number of votes given to two or more persons at any election for the same office, it shall be the duty of the City Council at the special meeting aforesaid, to place in a box or some convenient receptacle, as many ballots as there are persons having an equal number of votes for the same office, and on one only of the ballots shall be written the name or style of the office for which such persons were voted for. From which box or other receptacle such persons so having an equal number of votes shall draw one ballot, and the person drawing the ballot on which the name or style of the office is written shall be declared to be elected.

**121. The Council shall Appoint.]** § 6. In case any such person or persons are absent or refuse to draw a ballot, as aforesaid, the City Council shall appoint some one to draw the ballot or ballots for such candidate, and it shall have all the effect as if the candidate had drawn the ballot himself.

**122. When Officers shall Assume the Duties of Their Offices.]** § 7. The Mayor, Aldermen and all other officers elected at any annual election shall not assume the duties of their respective offices until the first regular session of City Council in May following the said election; and the outgoing Mayor, Aldermen and other officers shall continue to discharge the duties of their respective offices until said meeting and thereafter until their successors are respectively elected and qualified.

**123. Judges and Clerks to be Paid.]** § 8. Judges and clerks while acting at the election, shall be paid each the sum of two dollars and fifty cents for each day they may actually be engaged in holding and conducting any election.

**124. Obstructing Polls—Penalty.]** § 9. If any person shall obstruct the poll or polls, block up any window or place where ballots are being received at any election in this city, and,

on request of any of the judges holding said election, refuse to disperse and give way, or shall unlawfully interfere with the ballots, ballot box, poll books, tally-sheets or returns of any such election, or shall be guilty of any disorderly or offensive conduct towards the judges or other persons in attendance at or near the polls, he shall, on conviction, forfeit and pay for each and every offense any sum not less than ten dollars nor more than two hundred dollars.

**125. Not to Carry Away any Ballot Box, etc.]** § 10. Whoever shall unlawfully carry away any ballot box, ballots, poll-books or tally-sheets at any election held in and for this city or whoever shall seize or attempt to seize any ballot box, ballots, poll-book, or tally-sheet for the purpose of carrying the same off by force, shall forfeit and pay on conviction thereof for each offense the sum of not less than one hundred dollars and not more than two hundred dollars.

## CHAPTER XIV.

### EXPLOSIVES AND INFLAMABLES.

**126. Large Quantities of Gunpowder.]** § 1. That no person shall keep or store any gunpowder or other explosives in any house, store, warehouse or other place within the corporate limits of said city, under a penalty of one hundred dollars for every offense, unless the same is stored in a fire proof magazine to be located, approved and licensed by the Mayor and City Council: *Provided*, that this section shall not be deemed applicable to retailers of gunpowder.

**127. Retailers of Gunpowder.]** § 2. No retailers of gunpowder, dynamite or other like explosives shall keep or store any quantity thereof greater than twenty-five pounds weight in any store, house, shop or place within the corporate limits of the city, except in the magazine aforesaid: *Provided, also*, that said quantity of twenty-five pounds weight shall be kept in close

tin or copper cannisters containing not over five pounds each, to be labelled "dynamite" or "powder," and kept in a conspicuous place; and no such retailer of gunpowder shall be permitted to sell, retail or give away the same in said city after candle lighting in the evening. Every person violating the provisions of this section shall be subject to a penalty of not less than eight dollars nor more than one hundred dollars.

**128. Search for Explosives.]** § 3. It shall be the duty of the Mayor, when complaint is made to him by any city officer, or upon the affidavit of any citizen, stating there is probable cause to suspect any person of keeping or concealing any gunpowder contrary to the provisions of this chapter, to take with him the City Marshal or any police officer, and search and examine any place within the corporate limits of said city to ascertain the truth of such allegation or suspicion, and if it be found, on examination of any premises, as aforesaid, that gunpowder is therein concealed the offender shall be subject to a penalty of one hundred dollars, and a further sum of one hundred dollars for every twenty-four hours that said gunpowder shall remain within the corporate limits of said city, after one day's verbal or written notice has been given by the Mayor or City Marshal to remove the same.

**129. Amount of Oils Permitted Kept.]** § 4. No person' persons or corporation shall keep or store within the City of Centralia any gasoline, benzine, coal oil, petroleum or any of its products in any greater quantity in any one building than two barrels or tanks of fifty gallons each, without first obtaining a permit as hereinafter required.

**130. Not to be Stored on Sidewalks or Out Buildings.]** § 5: No gasoline, coal oil, petroleum or any of its products shall be kept or stored in front of any building, nor on any street, alley, sidewalk or in any lot or exposed place for a longer space than is necessary to receive in store or deliver the same, and in no instance to exceed twenty-four hours, nor in any wooded shed or out buildings, nor in any shed of brick or stone or other place, unless the same is kept under lock and key, and where the same is not accessible to children, tramps and vagrants.

**131. Empty Barrels.]** § 6. No person, persons or corporation shall keep or store in or about any building or premises, except at such places hereinafter mentioned as are used exclusively for storing large quantities of oil under permit from the city, more than ten empty coal oil or gasoline barrels at one time, and said barrels shall be kept wholly within the inclosure of said premises.

**132. Permits for Large Quantities of Oil.]** § 7. Any person, persons or corporation who shall desire to store or keep any gasoline, coal oil, petroleum or its products, in any greater quantity than two barrels or tanks of fifty gallons each, shall file with the City Clerk an application in writing, addressed to the City Council, stating the places where it is proposed to store such oil, the character and quantity of the oil to be stored, the size and quantity of the vats or barrels in which it is to be placed, and the nature of the construction of the building in which it is to be kept.

**133. Permits When not Granted.]** § 8. No permit shall be granted by the City Council for the storage of coal oil, gasoline, petroleum or its products, within this city in quantities larger than two barrels of fifty gallons each, except the same shall be kept in a closed metallic vessel, outside of buildings, and to be drawn in daylight only from said vessel, and no permit shall be granted to keep or store any such oils in quantities as aforesaid upon any premises within four hundred feet of any lot in any block now laid out in this city, or residence now constructed: *Provided*, this chapter shall not be construed to effect or apply to the storage of lubricating oils.

**134. Permits how Granted.]** § 9. When in the judgment of the City Council the storage of such quantities of oils as shall be asked for in such application will not endanger the buildings or other property in said city to conflagration, permission may be granted for the same, subject to the restrictions provided in this chapter, and to such other reasonable regulations as the City Council may deem advisable to enforce with each permit so granted.

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**135. Penalty.]** § 10. Whoever shall violate any of the provisions of this chapter shall, upon conviction, be subject to a fine of not less than ten dollars nor more than two hundred dollars, and in case the person convicted twice shall hold a permit, the same shall be revoked. Any storage of oils contrary to the provision hereof, or without a permit, shall, after ten days notice for their removal and neglect so to do, be subject to seizure by the city and confiscation.

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## CHAPTER XV.

### FEES AND SALARIES.

**136. Salaries how Provided.]** § 1. The officers of the city shall receive the salaries, fees and other compensation as is hereinafter provided, and as the City Council may, from time to time, by ordinance direct; but the salary, fees or other compensation of any such officer shall not be increased or diminished during his term of office.

**137. Salary of Mayor.]** § 2. The Mayor shall be paid a salary of three hundred dollars per annum, payable quarterly.

**138. Salary of Clerk.]** § 3. The City Clerk shall receive a salary of three hundred dollars per annum, payable quarterly, and the following fees: For recording and superintending the publication of all ordinances passed subsequent to the revision of 1896, twenty cents for every one hundred words; for recording each interment report, ten cents; for making and superintending the annual statement of fiscal concerns of the city, ten dollars; for procuring the poll books, tally sheets, blanks, stationery and supplies necessary for the conducting of the city election, superintending the erection of the voting booths, superintending the printing, posting and publishing of the specimen ballots and instruction cards, and the printing of the official ballots, and delivering the same together with the ballot boxes, poll books, blanks and supplies to the judges of election, ten dollars; for each license issued, fifty cents; for each cemetery

deed issued, one dollar, to be paid out of the city treasury; for copying any paper on file in his office, twenty cents for every one hundred words, and for attaching his certificate, and the seal of the city thereto, an additional fee of twenty-five cents, to be paid by the applicant.

**139. Salary of City Attorney.]** § 4. The City Attorney shall receive a salary of two hundred dollars per annum, payable quarterly, and in all cases, when he appears in behalf of the city, shall be allowed a fee of three dollars for each and every conviction before any Police Magistrate or Justice of the Peace for a violation of any ordinance of said city, to be paid out of the city treasury when the fine and costs are collected. And in addition to the salary and other fees herein provided for, he shall be allowed a fee of ten dollars for the prosecution or defense of any case in county or circuit courts of this State, and twenty-five dollars in the appellate or supreme courts of this State, wherein the City of Centralia is a party, to be paid out of the city treasury.

**140. Salary of City Marshal.]** § 5. The City Marshal shall receive as a salary fifty dollars per month, payable monthly, for performing such duties as are now, or may hereafter be required of him by ordinance or resolution of the City Council, payable out of the city treasury. In addition he shall be entitled to receive such fees as are allowed to Constables by any law of this State; but the city shall in no event be liable for the payment of any such fees.

**141. Salary of City Treasurer.]** § 6. The City Treasurer shall be allowed two per cent. on all moneys arising from the ordinary sources of revenue, and one per cent. on all moneys borrowed by the city.

**142. Salary of Street Commissioner.]** § 7. The Street Commissioner shall receive at the rate of two dollars per day for his services while actually employed in performing the duties of his office.

**143. Salary of City Sexton.]** § 8. The City Sexton shall receive a salary of twenty-five dollars per month from the first day of May to the first day of November, and twenty dollars

per month from the first day of November to the first day of May in each and every year, to be paid out of the city treasury. And, in addition thereto, he shall be entitled to charge and receive the following fees, to be paid by the person or persons for whom the work is done: For digging any shaped grave four feet or less in length and interment, one dollar and fifty cents; for digging a coffin shaped grave any length over four feet and interment, two dollars; for digging a parallelopiped, commonly called a square box shaped, grave over four feet and not more than six feet and interment, two dollars; for digging a parallelopiped shaped grave over six feet in length and interment, three dollars.

**144. Salary of City Engineer and Surveyor.]** § 9. The City Engineer and Surveyor shall be allowed two dollars per day for every day's service for the city. He shall also be allowed to charge and receive from any person or persons for whom he may perform services the following fees: For surveying any private lot, making corners and giving certificates thereof, one dollar and fifty cents; for surveying, making corners and giving certificates as above, and sub-dividing the lot, an additional fee of twenty-five cents for each sub-division; for designating the line or grade of any street, lane, avenue or alley, on which any person is desirous of building a house, or erecting a fence, grading or making a sidewalk, or when a sidewalk is ordered to be made by the City Council, the sum of fifty cents for each line or grade so designated.

**145. Salary of City Policemen.]** § 10. The City Policemen shall receive a salary at the rate of forty dollars per month, except during the months of December, January and February, when the rate shall be forty-five dollars per month.

**146. Salary of Aldermen.]** § 11. Each Alderman shall, after the first regular session in May 1897, be paid a salary of one dollar and fifty cents for each regular session of the City Council held during his term of office at which he shall be present. For all special sessions and adjourned sessions, and all regular sessions at which such Alderman shall not be present he shall receive nothing: *Provided*, no Alderman shall receive more than three dollars per month.

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**147. Salary of City Collector.]** § 12. The compensation of the City Collector shall be two (2) per centum upon all moneys collected by him in the course of his official duties.

**148. Salary of Superintendent of Water Works.]** § 13. The Superintendent of Water Works shall be paid a salary of fifty dollars per month, payable monthly.

**149. Fees of Police Magistrate.]** § 14. The Police Magistrate shall be entitled to receive such fees as are or may be allowed to Justices of the Peace by any law of this State, but the city shall in no event be liable for the payment of any such fees.

**150. Compensation of Health Officer.]** § 15. The Health Officer shall be allowed the sum of two dollars per day for each day he is actually employed in the discharge of his official duties.

**151. Compensation of Fire Department.]** § 16. The Fire Department shall be paid the sum of two hundred and fifty dollars per annum, payable quarterly.

**152. Salary of City Auditor.]** § 17. The City Auditor shall be paid the sum of fifty dollars for making the annual audit of the books and accounts of the city officers of this city.

## CHAPTER XVI.

## FENCES.

**153. Partition Fences.]** § 1. No person or persons shall hereafter erect, construct or maintain any wooden or other partition fence, or any section or portion thereof, which shall exceed four feet in height above the surface of the ground for the first forty feet back from the front line of the lot or lots, nor exceeding seven feet in height for the remainder of the distance to the rear end of the lot, except where such partition fence forms a necessary part of any out building on such premises, or except where both parties shall agree to the same, under a penalty of not less than five dollars nor more than fifty dollars for the first offense and a further penalty of two dollars per day for each and every day that such person shall permit such unlawful fence to remain after notice to lower or remove the same by the City Marshal.

**154. Hedge Fences.]** § 2. That the owner or occupant of any lot in this city upon which shall be growing any hedge fence of osage orange or other shrubbery which abuts upon any public street or avenue shall keep the same trimmed down so that the same shall not exceed five feet in height at any time, and the sides thereof cut back so that no portion of the same shall protrude over or close enough to any public sidewalk as to in any manner interfere with the pedestrians upon such sidewalk, or catch in their clothing while walking along or upon such sidewalk. Whoever shall violate this section shall be subject to a penalty of not less than five dollars nor more than fifty dollars, and, if upon conviction they shall fail or neglect to trim such hedge forthwith, they shall be subject to a further penalty of two dollars per day for each and every day they shall neglect or fail to trim such hedge thereafter.

**155. Gates to Open in.]** § 3. That hereafter all gates shall be so constructed and hung that the same will not open outward or swing over any public sidewalk in this city or in any manner obstruct the same when opened or closed, and it shall be the duty of the City Marshal or Street Commissioner, upon com-

plaint to him that any gate is so constructed or hung, to notify the owner of such premises or his agent to change said gate so that the same will not open out or upon such walk, and upon the neglect or refusal of such owner or agent to change such gate, as ordered, within ten days from the service of such notice, he shall be subject to a fine of not less than five dollars nor more than fifty dollars.

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## CHAPTER XVII.

### FINES AND FORFEITURES.

**156. Suit may be Commenced.]** § 1. That any suit, action or prosecution brought for the recovery of any fine, forfeiture or penalty, for the violation of any ordinance of the city may be commenced by any person making complaint under oath before the Police Magistrate of the city or Justice of the Peace of the County of Marion, stating that he or she believes that a certain person or persons (naming him, her or them), has or have violated a portion of the municipal code of said city, specifying it, and giving numbers of chapter and section, and a brief description of the offense, whereupon the Police Magistrate or Justice of the Peace shall issue a warrant, directed to the City Marshal, or any Constable of Marion county, commanding him to arrest the person or persons charged, and to bring him or them forthwith before said Police Magistrate or Justice of the Peace, and all other proceedings shall be the same as proceedings before a Justice of the Peace in cases for assault and battery, under the statute of the State, unless otherwise provided by ordinance: *Provided, however,* if either party shall demand a jury the one so demanding it shall advance the jury fees.

**157. Minors Excluded from Court Room.]** § 2. The Police Magistrate or Justice of the Peace shall exclude all minors from the court room during any trial whenever he shall deem it to the interests of public morals so to do.

**158. Arrests without Warrant.]** § 3. Nothing in this chapter shall be so construed as to prevent the City Marshal, or any other officer of the city authorized to make arrests, from arresting, without warrant, and taking forthwith before a Police Magistrate any person violating any city ordinance in his presence: *Provided*, that if said arrest is made in the night time, or the said Police Magistrate is absent from his office, or from any other cause the trial of said person cannot be had forthwith, the officer making said arrest shall keep the person so arrested in custody until said trial can be had, and for such purpose may confine the person arrested in the city prison: *Provided, further*, that no such confinement shall be for a longer time than twenty-four hours, unless Sunday shall intervene.

**159. City Attorney to be Notified.]** § 4. It shall be the duty of the Police Magistrate, through the City Marshal, to inform the City Attorney of any and all complaints or affidavits made before him for the violation of any ordinance of the city.

**160. Fines to be Paid Over.]** § 5. All fines, forfeitures and penalties imposed by virtue of any ordinance now, or which shall be, in force for the breach of the same shall, when collected, be immediately paid over to the Magistrate by the person collecting the same, and the Magistrate receiving such money shall immediately pay over the same to the City Treasurer, said Treasurer receipting said Magistrate for the same.

**161. The Police Magistrate shall enter Judgment.]** § 6. Immediately upon the conviction of any person for a violation of any ordinance of the city, the Police Magistrate, or Justice of the Peace, as the case may be, shall enter judgment against him for the amount of fine and costs of prosecution, and unless said fine and costs be immediately paid, shall enter an order to the effect that the defendant or defendants be committed to the city prison for a certain number of days, to be fixed in said order and entered of record in the cause, said number of days being fixed at one for every fifty cents of the amount of such fine and costs, unless the fine and costs be sooner paid; but no person shall be imprisoned for a longer period than sixty days for any one offense, and the period of imprisonment shall be in all cases

proportionate to the offense committed. The said Police Magistrate or Justice of the Peace shall immediately upon the rendition of judgment, issue an execution in the following form, as near as may be; to-wit:

"STATE OF ILLINOIS. }  
"COUNTY OF MARION, } ss  
"CITY OF CENTRALIA, }

"The people of the State of Illinois to the City Marshal of the City of Centralia, or any Constable of said county—Greeting:

"Whereas, The City of Centralia has this day obtained judgment before the undersigned, a.....of the City of Centralia, against..... for a violation of an ordinance of said city, for ..... dollars fine, and ..... dollars and ..... cents cost of prosecution. We command you, therefore, that of the goods and chattels of the said ..... within the County of Marion, you make the sum of ..... dollars fine, and ..... dollars and ..... cents cost of prosecution; and for want of such goods and chattels, that you, as the keeper of the city prison, take the body of the said ..... and keep him ..... in safe custody for and during the term of.... ..... days from and after the delivery hereof, and require and compel the said ..... to labor on the streets and alleys of said city under the control and direction of the Street Commissioner at the rate of fifty cents per day, exclusive of his board, until all of said fine and costs are paid, unless he shall be sooner discharged according to law, and hereof make return to me within seventy days from this date.

Given under my hand and seal this .... day of .....  
A. D. 18..

..... [SEAL.]

*Provided, however,* that the Police Magistrate or Justice of the Peace before whom a conviction shall be had, may, when the defendant, by reason of being physically disabled, or being a female, is unfitted for street labor, omit the same from the judgment and execution.

**162. Persons shall Labor on Streets.]** § 7. Upon receiving the execution above mentioned, the City Marshal, or other officer to whom directed, shall immediately take the defendant into custody, and if the said defendant does not, within a reasonable time of the same day, satisfy said execution, either

by paying the same in money, or by discovering to the City Marshal, or other officer, sufficient goods and chattels, the property of the defendant, whereon to levy said execution for fine and costs, or by replevying the same as hereinafter provided, the City Marshal, or other officer, shall, without delay, commit the prisoner to the city prison, there to be confined, except during such time he may be engaged in working on the streets, and alleys, until such fine and all costs shall be fully paid, or he shall be otherwise discharged according to law. The City Marshal, or other officer having the prisoner in custody, shall, on the morning of each working day, during the time of such confinement, deliver the prisoner, together with the execution, to the Street Commissioner, and the Street Commissioner shall require the prisoner so delivered to him to perform the amount of labor required by this ordinance, and shall be responsible for the safe keeping of said prisoner during the time he is under the control and custody of the said Street Commissioner; and when such prisoner shall have worked out the amount of said fine and costs, as herein required, he shall be discharged and the City Marshal, or other officer, shall make return to the Police Magistrate or Justice of the Peace who issued the same, that the execution and judgment is satisfied by labor on the streets, or by serving the requisite number of days in the city prison.

**163. Street Commissioner may be Fined.]** § 8. In case the Street Commissioner shall refuse to perform any of the duties required of him in the preceding section, or said prisoner shall escape while in his control and custody, the said Street Commissioner shall be fined not less than eight nor more than one hundred dollars, and a conviction thereof may be considered by the City Council sufficient grounds for impeachment and the removal of said Street Commissioner from office.

**164. Persons Fined may Replevy.]** § 9. Any person fined for the violation of any city ordinance may replevy the same by giving bond to the City of Centralia, with sufficient security in double the amount of the fine and costs for the payment of the same within not more than sixty days, the security to be approved, and the time allowed to be determined

by the City Marshal: *Provided*, no obligation for the payment of such fine and costs shall be taken by the City Marshal until it shall be first submitted to the City Attorney and his approval be endorsed thereon.

**165. The Mayor may Release.]** § 10. The Mayor, for sufficient cause, may release any person imprisoned for the violation of any city ordinance, and shall endorse his order for said release on the execution with the cause thereof, and report the same to the City Council at its first regular session thereafter: But it shall be his duty before releasing any such person to require of the City Attorney and the Police Magistrate, or Justice of the Peace who tried the case, a statement in writing briefly expressing their opinions respectively concerning the propriety of the same, which opinions shall be filed with the Mayor's report to the City Council.

**166. Cases may be Dismissed.]** § 11. The City Attorney may, with the consent of the court, dismiss any proceeding commenced for violation of any ordinance of the city, when he and the court may be satisfied that the complaint is instituted maliciously, or without probable cause, and that the interests of the public or the city will be subserved by said dismissal.

**167. No Costs Taxed Against City.]** § 12. No costs of any kind in any case whatever shall be taxed against or collected of the city except as heretofore provided.

**168. Not to be Tried while Intoxicated, etc.]** § 13. No person shall be tried for a violation of any of the ordinances of the city while in such a state of intoxication as to be in an unfit condition for trial, but any person arrested for such violation, who shall be in such drunken or intoxicated condition, may be confined in the city prison until he shall become duly sober and in a fit condition to be brought into court. The Police Magistrate or Justice of the Peace's verbal order to the officer having such person in charge shall be a sufficient warrant to the officer so to confine such person: *Provided*, no trial for such cause shall be adjourned for a longer time than twenty-four hours, unless a Sunday shall intervene.

**169. Persons Entitled to Speedy Trials.]** § 14. Every person under arrest shall be entitled to a speedy trial within twenty-four hours, unless Sunday intervenes, or the trial be continued for good cause, or adjourned from unavoidable circumstances, and when a trial shall be continued or postponed the officer making the arrest shall keep the person so arrested in custody until the time for trial, unless said person shall give bail for his appearance, and for such purpose may confine him or them in the city prison.

**170. Jury Trial—Form of Verdict.]** § 15. In all cases for violation of any ordinance of the City of Centralia tried by a jury, the verdict shall be, as near as may be, in the following form: "We, the jury, find the defendant not guilty," or "We, the jury, find the defendant guilty, and assess against him a fine of ..... dollars;" the verdict to be signed by all the jurors. Upon the return of the verdict of the jury, the court shall enter judgment for the amount of fine assessed and costs of prosecution, and shall issue execution for the amount of fine and costs, as provided in section six of this chapter.

**171. Persons may give Bail.]** § 16. Any person arrested or in the custody of any officer for the violation of any ordinance shall have the right to release himself from custody or imprisonment by entering into bail or recognizance before the Police Magistrate or Justice of the Peace in such amount, and with such security as may be required of him, conditioned that he will appear before the said Police Magistrate or Justice of the Peace named therein, at the time therein named, and remain and answer the offense with which he stands charged and not depart without leave. The penalty of the bond shall be in favor of the City of Centralia and the amount shall be determined by the Police Magistrate or Justice of the Peace taking the same, with whom the said bond shall be filed. If the offender shall fail to appear, or shall otherwise fail to comply with the conditions thereof, the same shall be adjudged forfeited, and suit shall be forthwith brought thereon against the offender and his surety or sureties for the full amount of the penalty thereof, and judgment shall be rendered by the court for the same and costs.

## CHAPTER XVIII.

## FIRE DEPARTMENT.

**172. Members.]** § 1. That the Fire Department of the City of Centralia shall consist of the members now composing the same, and such new members as shall from time to time be elected thereto by the members thereof, under such regulations as they shall prescribe: *Provided, however,* that at no time shall the membership thereof be less than ten nor more than twenty active members, residents of the City of Centralia, of not less than eighteen years nor more than fifty years of age, capable of doing duty at fires. And should the membership thereof at any time become reduced to less than ten, and the Department neglect or fail for a period of thirty days to fill the vacancies, the Mayor, with the approval of the City Council, shall have the power to appoint sufficient additional members to make the total membership of said Department ten.

**173. Officers.]** § 2. The officers of the Fire Department shall consist of one Chief Engineer and two Foremen, to be designated as Foreman and Assistant Foreman; said officers, and such others as the members shall determine to create, shall be chosen by the members from among their number in such a method as they shall determine; which officers shall hold their office for a term of one year, and until their successor are duly elected: *Provided, however,* that any officer may be sooner removed for cause by a vote of two-thirds of the members of the Department.

**174. Duties of Officers.]** § 3. The Chief Engineer, or in his absence the Foreman, or in the absence of both the Assistant Foreman, shall in all cases of fire or fire alarms have sole and absolute control of the Fire Department, including subordinate officers, members, drivers, teams, wagons, carts, etc.; and he shall be subject to such rules and regulations as shall be adopted by the Department; conduct and manage the same from the time of the sounding of the alarm until he gives the order to disperse, and he shall be implicitly obeyed by said officers and members

as well as by such bystanders whom he may summons during said time.

**175. Fire Wardens.]** § 4. The Aldermen in their respective wards shall be ex-officio Fire Wardens, and it shall be their duty upon the breaking out of a fire in their ward to repair to the same, and to prevent the fire apparatus, wagons, hose, etc., from being injured, keep idle and suspicious persons from the vicinity of the fire, and perform such other duties as may be assigned to them by the chief officer in command at such fire.

**176. Drivers.]** § 5. The Fire Department shall have the power to employ a driver, to be paid such compensation by the city as may be fixed by the City Council, whose duty it shall be to feed, groom and exercise the horses of the Fire Department, attend to the batteries and apparatus of the fire alarm system, clean and care for the wagons and fire apparatus, drive the hose wagon to all fires, and be in attendance at the place where the hose wagon is kept at all times, except when excused or relieved by the Chief, and he shall be subject to such other rules and regulations as shall be prescribed by the Department.

**177. Duty when Alarm Given.]** § 6. Whenever a fire alarm is given it shall be the duty of the officers and members of the Department to repair at once to the headquarters of the Department where the hose wagon and team are kept and assist the driver in harnessing the team and securing such implements, hose, ladders and apparatus to be taken to the fire as the officer in command shall direct, and no person other than a member of the Department shall have a right to enter the place where the wagon, team, etc., are kept at such times, nor to get upon the wagon to ride to the fire, except upon express command of the officer in charge, when their assistance is required.

**178. Driving to Fires.]** § 7. The driver or other person in charge of the hose wagons or carts, when going to a fire or in answer to a fire alarm, shall use such care and caution not to injure any person or vehicle upon the streets of said city, as is consistent with the duty he is then discharging; and upon the sound of a fire alarm, when the teams, wagons and carts of the

Fire Department are going to a fire, or in answer to a fire alarm, they shall be entitled to the clear right of way over all streets, avenues and alleys in said city in preference to all other vehicles; and it shall be the duty of the drivers of all other vehicles in said city to give said right of way over said streets, avenues and alleys, to the wagons, teams and carts of the Fire Department, when going to fires or in answer to fire alarms, so that the same shall have a clear and uninterrupted passage. A violation of this section shall subject the offender to a fine of not less than five dollars nor more than two hundred dollars.

**179. Not to Drive on Sidewalks—Returning from Fires.]**

§ 8. The driver of teams shall not run or drive any hose cart or wagon along or across any sidewalk in said city, except in cases of strict necessity, and said driver, when returning from fires or in answer to fire alarms, shall not drive faster than a slow trot. A violation of this section shall subject the offender to a fine of not less than five dollars nor more than one hundred dollars.

**180. Bystanders may be Summoned.]** § 9. Every male person above the age of eighteen years, present at any fire in said city, shall be subject to the orders of the Chief Engineer, or other officer in charge at such fire, in assisting to extinguish the fire, remove property and protect the same; and in case such person shall refuse or neglect to obey such orders he shall be liable to a fine of not less than five dollars nor more than two hundred dollars: *Provided*, that no person, not a member of the Fire Department, shall be subject to such fine, unless at the time the order was given, the officer giving the same wore conspicuously the badge of his office, or made known otherwise his official character to such person.

**181. May Tear Down Buildings to Prevent Spread of Fire.]** § 10. The Fire Department shall take with them to all fires, hooks, ladders and axes, and the Chief Engineer, or in his absence the officer in charge, with the concurrence of the Mayor, or any two Aldermen present, may tear down and remove any building, fence or other structure to prevent the spread of fire and to check its progress.

**182. Penalty for Failure to Attend Fires.]** § 11. If any fireman shall neglect to attend any fire, without sufficient excuse, or shall refuse or neglect to perform the duty assigned to him at a fire, or shall disobey the orders of the Chief or other officer in command, or shall leave his post while the Department is on duty at a fire without the permission of the Chief, or other officer in charge, he shall forfeit and pay to the city not less than one dollar nor more than ten dollars, and shall be subject to expulsion from the Fire Department.

**183. Control of Property.]** § 12. The horses, wagons, carts, hose, wrenches and all tools and implements shall be under the sole and absolute control of the Chief Engineer, or in case of his absence from the city, then under the Foreman, or in case of absence of both, then under the control of the Assistant Foreman; and it shall be unlawful for any person to intermeddle or molest, or to take any of said property from the hose house, or elsewhere where kept, except under the direction or by the order of the said officer in charge of the same; and whoever shall violate this section shall be subject to a fine of not less than five dollars nor more than fifty dollars.

**184. Interfering with Firemen—Driving over Hose.]** § 13. Whoever shall hinder or interfere with any fireman or officer in the performance of his duty, in going to or returning from any fire, or while elsewhere on duty; and any person who shall drive any wagon, dray or other vehicle across or along any hose, or in any manner cut or injure the same; or cut, deface or otherwise injure any wagon, cart, implement, tool, or apparatus, horse or other property belonging to the city or said Fire Department, shall be subject to a fine of not less than five dollars nor more than two hundred dollars, and shall be liable for the damages to such property.

**185. Police to Attend Fires.]** § 14. The City Marshal, or some other police officer, shall repair at once upon the alarm of fire to the place where the fire exists, and there report themselves and remain subject to the direction of the Mayor or any Fire Warden, for the preservation of the peace, the protection of property in the vicinity thereof, the removal of all idle or

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suspected persons, and the control of the crowd assembled and not engaged in the extinguishment of the fire. And if the City Marshal, or any other police officer, shall wilfully neglect to attend such fire, or shall neglect or refuse to perform the duties assigned to him when at a fire, he may be removed from office on conviction before the City Council.

**186. Chief to make Report to Council.]** § 15. It shall be the duty of the Chief to report to the City Council the names of all members of the Fire Department, and the officers thereof, and whenever vacancies shall occur or new members shall be elected he shall report the same, and the City Clerk shall keep a record of all members and officers, and note such changes. The Chief shall also report to the City Council, at their first meeting in May and November, the condition of the fire apparatus belonging to the city, and the places where kept, and recommend such alterations and improvements in the same, and the purchase of such new material as he deems advisable.

**187. Exempt from Street Tax, etc.]** § 16. The members and officers of the Fire Department shall be exempt from street tax to the city and also be entitled to all exemptions as provided for by the statutes of the State of Illinois, such as jury duty, militia duty, etc.

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## CHAPTER XIX.

### FISCAL YEAR.

**188. Fiscal Year.]** § 1. The fiscal year of the City of Centralia shall commence on the third Tuesday of April, and end on the day prior thereto, in each and every year.

## CHAPTER XX.

## GAMING AND GAMBLING HOUSES.

**189. Gaming.]** § 1. Whoever shall play for money, or other valuable thing, at any game with cards, dice, checks, faro, roulette, billiards, or with any other articles, instrument, or thing whatsoever, which may be used for the purpose of playing or betting upon, or winning or losing money, or any other article or thing of value, or who shall bet upon any game others may be playing in this city, shall be fined not less than five dollars nor exceeding two hundred dollars for each offense.

**190. Gambling Houses.]** § 2. Whoever within the limits of the city keeps a common gaming house, or in any building, booth, yard, garden, or other premises by him or his agent used or occupied, procures or permits any persons to frequent, or to come together to play for money or other valuable thing, at any game, or keeps, or suffers to be kept, any poker, keno, faro or crap table, wheel of fortune, roulette, shuffle board, cards, or other instruments or apparatus for the purpose of playing at any game or sport, for money or any other valuable thing, or knowingly rents any such place for such purposes, shall be fined not less than ten dollars nor more than two hundred dollars: *Provided, however,* the finding of any such tables, instruments or apparatus, upon any such premises, shall be *prima facie* evidence that the owner or occupant thereof is keeping a gaming house.

**191. Frequenting Gaming House.]** § 3 Whoever shall be an inmate of any gambling house or room in this city, or shall be in any way connected therewith, or shall frequent or visit the same, or be found therein, or in any room where gaming is carried on or permitted, shall be fined not less than than five dollars nor more than two hundred dollars for each offense.

**192. Lotteries]** § 4. That whoever in this city shall set up or promote any lottery for money or other valuable thing, or by way of lottery disposes of any property of value, either real

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or personal, or under pretense of sale, gift or delivery of any other property, or any right, privilege or thing whatever, disposes of, or offers, or attempts to dispose of personal property dependent upon or connected with any chance by dice, lottery, numbers, game, hazzard or other gambling device, whereby such chance or gambling device is made an additional inducement to the disposal or sale of such property, and whoever aids by printing, or is in any way concerned in the setting up, managing or drawing of such lottery, or in such disposal or offer, or attempt to dispose of property by any such chance or device, shall, for each offense, be fined not less than ten dollars nor more than two hundred dollars.

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## CHAPTER XXI.

### HAWKERS, PEDDLERS AND TRANSIENT VENDORS.

**193. Hawker's and Peddler's License.]** § 1. Every person who shall do or transact the business of hawker or peddler within the corporate limits of this city shall pay for a license so to do not less than two dollars nor more than ten dollars per day for each day said person shall pursue said business; and whoever shall hawk or peddle goods within this city, without first having obtained a license so to do, shall be subject to a fine of not less than five dollars nor more than one hundred dollars for each offense.

**194. Itinerant Merchants and Transient Vendors on Streets, etc.]** § 2. That all itinerant merchants and transient vendors of merchandise, who shall sell, or offer for sale, barter, or exchange, any goods, wares, or merchandise, or other article of value, from house to house in this city, or upon the public streets, avenues, or other public grounds in this city, shall pay for a license so to do not less than two dollars nor more than ten dollars for each day they shall pursue said calling within this city; and all itinerant merchants and transient vendors of merchandise, who shall sell or offer for sale, exchange,

or barter any goods, wares, merchandise, or other article of value from house to house, or upon any public street, avenue or other public ground in said city, without having first obtained a license so to do, shall be subject to a penalty of not less than five dollars nor more than one hundred dollars for each offense.

**195. Itinerant Merchants and Transient Vendors in Stores.]** § 3. Whoever shall temporarily establish or open up a place of business in this city for the purpose of selling, bartering or exchanging any goods, wares, or merchandise, or other article of value, being an itinerant merchant or transient vendor of merchandise, shall pay for a license so to do not less than two dollars nor more than twenty dollars per day for each day he shall conduct or maintain said business, and whoever shall violate the provisions of this section shall be subject to a fine of not less than ten dollars nor more than two hundred dollars for each day he shall conduct such business without having obtained such license.

**196. Peanut and Popcorn Vendors]** § 4. That whoever shall sell or offer for sale peanuts, popcorn, candy, nuts, fruit or other article of like nature, upon any of the public streets, or avenues, or places in this city from stands, wagons, baskets, or otherwise, except from regularly established business houses or stores, and then only from stands which do not protrude more than two feet from the lot line of such store, shall pay for a license so to do not less than twelve dollars nor more than fifty dollars per annum, provided that license for less time may be granted at the rate of not less than one dollar nor more than ten dollars per day or not less than two dollars nor more than ten dollars per month; and whoever shall violate the provisions of this section shall be subject to a fine of not less than five dollars nor more than fifty dollars for each offense.

**197. Farmers' Produce Exempt.]** § 5. This chapter shall not be construed to apply to farmers and gardeners bringing into the city and selling the produce of their own farms and gardens.

## CHAPTER XXII.

## HEALTH.

**198. Department of Health—Of Whom it Consists.]** §

1. The Department of Health shall consist of the Mayor, the Committee on Public Health, the City Marshal and the Health Inspector.

**199. Health Inspector—How Appointed.]** § 2. That whenever deemed expedient so to do, the Mayor shall, by and with the advice and consent of the City Council, appoint a Health Inspector, whose duty it shall be to see that all the ordinances of the city, relating to nuisances and the preservation of the public health, are duly and strictly enforced.

**200. Time Employed in Each Year.]** § 3. That the Health Inspector shall be appointed for such a time only in each year as, in the judgment of the Mayor, shall be necessary to preserve the public health of the city, not to exceed thirty days in any year, without the further consent of the City Council.

**201. Proclamation to Prevent Spread of Disease.]** § 4. That upon the appearance of small-pox, cholera, scarlet fever, diphtheria, or other contagious or infectious diseases, and in all cases of epidemic, the Mayor, to prevent the spread of the same, shall have power, by proclamation, to enforce the provisions of this chapter.

**202. Powers of the Mayor.]** § 5. The Mayor shall have power, in such emergency, by said proclamation, to close public or private schools, to prevent the assemblage of public meetings, to close any house to the public where such disease exists, to fence up the street or streets in the infected neighborhood, to provide regulations by which infected families may be provided with necessary supplies, to prevent the occupants of any house, where such disease is located, from going about the city, to restrict physicians from visiting patients so afflicted or neighborhoods so infected without taking the necessary precautions to prevent the spread of the disease, to give notice, by placards, to the public

of the existence of the disease at any house and to warn the public to avoid the same, to provide a suitable place and cause any person so afflicted with any such disease to be removed thereto.

**203. Mayor shall Notify when Proclamation is at an End.]** § 6. That when the Mayor shall have issued his proclamation under the provisions of this chapter it shall be his duty, also, to officially notify all persons interested when the same ceases to be in force.

**204. For Violating the Mayor's Proclamation.]** § 7. It shall be unlawful for any person or persons to violate the provisions of this chapter, or the proclamation of the Mayor issued in accordance herewith, or to aid or abet any person or persons in so doing, and any person or persons who shall violate any of the provisions of this chapter, or refuse to obey the proclamation of the Mayor, shall, upon conviction, forfeit and pay to the City of Centralia the sum of not less than eight dollars nor more than fifty dollars for each offense.

**205. Declared a Public Nuisance.]** § 8. That every house within the limits of the City of Centralia, in which the cholera, small-pox, yellow fever or diphtheria shall exist, shall be deemed and is hereby declared to be a public nuisance, and it shall be the duty of the owner of the property, the person having control of the family or persons being or residing therein, and the attending physician, immediately on the breaking out of any such disease, to notify the Mayor, or in his absence some member of the Health Department, of the existence of such disease; and any such person or persons or physician, who shall neglect or fail to give such notice, shall be guilty of maintaining a nuisance, and, on conviction, shall be fined in any sum not less than eight dollars nor more than two hundred dollars.

**206. Epidemic, Contagious and Infectious Disease—Duty of Physician to Report.]** § 9. That in order to facilitate the control of epidemic, contagious and infectious diseases, it is hereby made the duty of all physicians in said city to report to the Mayor, or in case of his absence or his being the physician in

charge, to some other member of the Health Department, any and all cases of epidemic, contagious or infectious diseases, such as cholera, small-pox, yellow fever, diphtheria, scarlet fever, typhoid fever and measles, that the physician may be called upon to care for, within six hours after being called and assuming professional charge of each case of any of the above diseases, subject to a penalty of not less than five dollars and not more than two hundred dollars for each failure. *Provided*, that nothing in this section contained shall in anywise modify or restrict the foregoing section number eight of this chapter.

**207. To Prevent the Spread of Disease.]** § 10. Any person inhabiting any house in this city in which cholera, small-pox, yellow fever, diphtheria, scarlet fever, typhoid fever or measles are known to exist, who shall appear upon any of the public streets or alleys, or in any of the public places of this city, and who shall thereby be liable to spread any such disease, or who shall refuse to be isolated as directed by the proper authorities, or who shall knowingly transmit any such disease, or any contagious disease, to any other person, shall be subject to a fine of not less than five dollars and not more than two hundred dollars for each violation.

**208. Quarantine.]** § 11. The Mayor shall be and is hereby vested with full power and authority to establish, execute and enforce all quarantine regulations that he, with the advice and consent of the Committee on Public Health, may deem necessary and expedient to make, establish, execute, and enforce, under the provisions of this chapter.

**209. Quarantine Regulations.]** § 12. The manner of making and establishing said quarantine regulations shall be by proclamation of the Mayor, setting forth in full all rules and regulations, and the same shall be published in some newspaper published in the City of Centralia, and the same shall not take effect until after such publication.

**210. Penalty for Violating.]** § 13. Any person or persons or corporation violating any of the provisions of this chapter, or violating any of the provisions of the said rules and

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regulations, when established and promulgated as aforesaid, shall, upon conviction, be fined in any sum not less than fifteen dollars nor more than two hundred dollars.

**211. Proof of said Rules.]** § 14. The production of the rules and regulations, or a certified copy of the same in any court, upon a trial arising under this chapter, or under the said rules and regulations, shall be *prima facie* evidence that the rules and regulations have been legally established, made and promulgated on the day therein set forth.

**212. Unwholesome Food.]** § 15. Whoever shall, within said city, manufacture, sell, or expose, or offer for sale any meat, milk, fruit, or other product or article of food which shall have been rendered unwholesome and detrimental to health by adulteration, mixture, decomposition, putrefaction, disease, or by any other means whatever, or whoever shall sell, or offer for sale, any article of food under other than its true and appropriate name, shall, upon conviction, be subject to a penalty of not less than five dollars and not more than two hundred dollars for each offense.

**213. Duty of City Marshal and City Police.]** § 16. It shall be the duty of the City Marshal and every police officer to assist the Department of Health, and every member thereof, in the enforcing of the provisions of this chapter, and all rules and regulations made by virtue hereof.

## CHAPTER XXIII.

## INSURANCE COMPANIES.

**214. Insurance Companies to Pay License.]** § 1. That all corporations, associations and companies not incorporated under the laws of this State, which are engaged in this city in effecting fire insurance, shall, on the fifteenth day of July in each year, pay to the Treasurer of this city, for the maintenance, use and benefit of the Fire Department of this city, a license fee of two per centum upon the gross amount of premiums received by such corporation, association or company for fire insurance written by it or them, or agreed to be effected in this city during the preceding year, ending on the first day of July.

**215. Agents to Render Statement.]** § 2. That every person who shall act in this city as agent or otherwise for or on behalf of any such corporation, company or association, shall, on or before the fifteenth day of July in each and every year, render to the City Clerk a full, true and just account, verified by his oath, of all the premiums which during the year ending on every first day of July preceding, such report, shall have been received by him or any other person for him in behalf of such corporation, company or association, and shall specify in said reports the amounts received for fire insurance. Such agents shall also pay to the Treasurer of this city, at the time of rendering the aforesaid report, a license fee of two per centum upon the gross receipts of the premiums received by such corporation, company or association, as provided by section one of this chapter.

**216. Companies Prohibited from Doing Business.]** § 3. If such account be not rendered on or before the day herein designated, or if such license fee shall remain unpaid after that day, it shall be unlawful for any corporation, company or association so in default, to transact any business of insurance in this city until the said requisitions have been fully complied with: *Provided*, that nothing in this chapter contained shall

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relieve any company, corporation or association from the payment of any risk taken in violation hereof: *And provided, further*, that nothing in this chapter contained shall relieve any such corporation, company or association from the payment of the regular city, school, library, state, county and such other tax which shall be annually assessed and levied against them.

**217. Penalty.]** § 4. Any person or persons who shall violate the provisions of this act shall be subject to prosecution by indictment in any court of competent jurisdiction in this county, according to the statute in such case made and provided. The amount of said license fee may also be recovered of said corporation, association or company, or its agent, by an action in the name and for the use of this city as for money had and received.

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## CHAPTER XXIV.

### LIBRARY AND READING ROOM.

**218. Name.]** § 1. That the free Public Library and Reading Room heretofore established for the use of the inhabitants of this city is hereby endorsed, and shall be continued under the name and style of Centralia Public Library and Reading Room

**219. Tax Levy]** § 2. There shall be levied annually for the support and maintainance of said library and reading room, such tax as the City Council may determine upon, not exceeding two mills on the dollar, which shall be known as the Library Fund, which fund shall be kept by the City Treasurer separate and apart from all other funds, and shall be paid out only upon orders drawn by the proper officers of said city, upon properly authenticated vouchers of the Library Board.

**220. Board of Directors.]** § 3. The Board of Directors of said Library shall consist of nine directors, appointed by the Mayor with the approval of the City Council, chosen from the

citizens at large, either male or female, with reference to their fitness for such office, but not more than one member of the City Council shall be at any one time a member of said Board; and the Mayor shall annually hereafter, as before, appoint on or before the first of July, three members to fill the places of the three out going members, which new members shall hold their office for a term of three years, and until their successors are appointed.

**221. Vacancies—How Created and Filled.]** § 4. Whenever any Director of said Library Board shall absent himself or herself from three consecutive meetings of said Board, unless excused by said Board of Directors for sickness of self or family, or absence from the city, his office as Director shall become forfeited and vacant without removal, which vacancies, and such as are occasioned by removals from the city, resignations or otherwise, shall be reported by the Board to the City Council, and the Mayor may, by and with the advice and consent of the City Council, remove any Director for misconduct or neglect of duty, and all vacancies shall be filled, forthwith, in like manner as original appointments are made. No Director shall receive compensation as such.

**222. Injuring Books or Neglecting to Return Books.]** § 5. Any person who shall wilfully or maliciously cut, write upon, injure, deface, tear or destroy, any newspaper, book, plate, picture, engraving or other thing of value belonging to the said Library and Reading Room, or who shall fail to return any book belonging to said Centralia Public Library and Reading Room, according to the requirements of the by-laws, rules and regulations, made and adopted by the Directors of such Library for the government thereof, shall be subject to a fine of not less than five dollars nor more than two hundred dollars, and shall be liable for the damages done to said property, besides; said fine when collected to go to the Library Fund.

**223. By-Laws.]** § 6. Said Board of Directors shall exercise all the powers conferred upon such Boards by the statutes of the State of Illinois, and shall from time to time adopt and enforce such by-laws, rules and regulations for the

government of said Library and Reading Room, and the conduct of the patrons thereof, as they shall deem expedient, and they shall have the power to prohibit offenders who have violated such rules and regulations from patronizing or frequenting the Reading Room, or procuring books from said Library.

## CHAPTER XXV.

### LICENSES.

**224. License—How Issued—Application.]** § 1. All applications for license shall be made to the Mayor, who shall determine upon and collect the fee for the same. Upon granting the license, the Mayor shall certify the same to the City Clerk, stating the amount received for such license, the time it is to run, the business for which it is granted, and the particular place where the business for which it is granted is to be conducted. And the City Clerk upon the reception of such certificate shall issue such license and affix the city seal thereto.

**225. License Not Assignable, Except, etc.]** § 2. That no license granted shall be assignable or transferable, nor shall any person be authorized to do business or act under such license, except the person or persons to whom it is granted, or at any other place than that specified therein, without the consent of the City Council, which consent shall be certified by the City Clerk on the back of such license: *Provided*, this shall not be construed to make dram shop license transferable, nor shall any license authorize any person to act under it at any more than one place at the same time, or at any other time or place than is therein specified. Whoever shall violate any of the provisions of this chapter shall be deemed to be acting without license and be punished accordingly.

**226. Term Issued For.]** § 3. That all annual licenses shall expire at twelve o'clock, noon, on the first day of May next following their issue. That all quarterly licenses shall

expire on the first day of August, the first day of November, the first day of February and the first day of May next following their issue. And the license fee for any such license shall be computed from the first day of the month in which such license shall be issued.

**227. Clerk to Keep Register.]** § 4. The City Clerk shall keep a license register in which he shall enter the name of each person licensed, for what purpose, the place of business, the date of the license, the number thereof, the amount paid, and the date of the expiration of the same.

**228. To be Posted in Place of Business.]** § 5. Every person or persons to whom any license shall be issued under any ordinance of this city, shall forthwith place and keep the same posted in some conspicuous place in his office or place of business, and any person failing or neglecting so to do shall be fined in a sum of not less than five dollars nor more than twenty-five dollars for each offense.

**229. In Case of Death.]** § 6. In case of the death of any person licensed under any of the ordinances of this city, before the term limited in his said license shall have expired, his copartner, if any, or his legal representative or representatives, may continue to act under such license for the unexpired term thereof, subject, however, to the conditions imposed upon the person or persons to whom the same was originally issued, and upon he or they giving new bond to cover the unexpired term of said license, conditioned as other dram shop license bonds.

**230. Applicant for Dram Shop License Shall Give Bond.]** § 7. The applicant or applicants for a dram shop license shall first give bond in like sum and in the same manner as now is, or may hereafter be, required by the laws of the State of Illinois, regulating the sales of intoxicating liquors, with the additional requirement that the applicant or applicants will pay any and all judgment or judgments obtained against him or them by the city for the violation of any of the provisions of the ordinances of this city concerning the sale of intoxicating liquors.

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**231. Petitions.]** § 8. The person or persons applying for a dram shop license, in addition to a full compliance with all the other provisions of this chapter, shall present with such application a petition in favor of such license issuing, which petition shall be signed by a majority of all the owners of the real estate of the block fronting on the street where it is proposed to carry on the business, and also, by a majority of the tenants occupying such property on the grade floor. Any one family, firm or place of business, and all the joint owners of any one piece of real property counting one and no more. Such petition shall not be required oftener than once in any year, commencing on the first day of May: *Provided*, it shall, by its terms, request that a license or licenses shall issue, covering the period of one year, or any two or more quarters thereof.

**232. Surety on Bond for Dram Shop Licenses.]** § 9. No person having a license to keep a dram shop, or who is about to apply for such license, shall be received as security on the bond of any other person or persons under this chapter.

## CHAPTER XXVI.

## NUISANCES.

**233. Buildings and Trades.]** § 1. That any person or persons who shall erect, continue, use or suffer any building, structure, or other place for the exercise of any trade, employment, manufacture, or other business, which, occasioning noxious exhalations, noisome or offensive smells, becomes injurious or dangerous to the health, comfort or property of any individual, or to the public, or shall cause or suffer to be placed or remain in or upon any lot or lots, house, building or other place, any stagnant water or other liquid, any dead, stinking or putrid carcass, or any offal, filth, garbage, or anything prejudicial to the public health, shall be guilty of maintaining a nuisance, and shall proceed to remove the same within six hours from the receipt of a notice from the City Marshal. Any person refusing to comply with the provisions of this section shall be fined not less than eight dollars nor more than two hundred dollars, and the same shall be removed or abated at the expense of the guilty party or parties by the City Marshal.

**234. Hog Pens, etc.]** § 2. Any owner or occupant of any house, yard, or lot, who shall keep, or cause to be kept, any hogs, or other animals, in such a manner as to become offensive and annoying, or prejudicial to the health of any other citizen, or the public, shall be guilty of maintaining a nuisance, and shall proceed to remove or place the same in a healthy condition, within twenty-four hours from the receipt of a notice from the City Marshal, and upon refusal or neglect to comply with the provisions of this section such offender shall be fined not less than five dollars and not more than two hundred dollars, and such premises shall be removed or placed in a healthy condition, at the expense of the party or parties so accused.

**235. Hog Pens not to be Kept in the Populous Portion of the City.]** § 3. That any person or persons who shall keep or cause to be kept, any animal of the species of hogs or swine in any pen, sty or other enclosure within the populous portion or

portions of this city shall be deemed to be guilty of maintaining a nuisance, and shall remove the same within twenty-four hours from the receipt of a notice from the City Marshal. Any person violating the provisions of this section shall be fined in any sum not less than five dollars and not more than two hundred dollars for the first offense, and to a further fine of five dollars for each day such nuisances shall be continued after the first conviction.

**236. Privies—When a Nuisance.]** § 4. Whenever any privy or privy vault shall be kept or permitted to remain in such a condition as to become offensive or unwholesome to any person in the vicinity thereof, the same shall be deemed a nuisance, and any owner or occupant of the premises upon which such privy is located, who shall neglect or refuse to abate such nuisance within twenty-four hours after being notified so to do by the City Marshal, shall, upon conviction, be fined not less than five dollars nor more than one hundred dollars for each offense, and shall be subject to a further fine of five dollars for every day thereafter that he shall allow such nuisance to continue.

**237. Stagnant Water.]** § 5. Any lot or premises, upon which any stagnant water may be standing, so as to become, or likely to become, putrid, foul, or offensive, or detrimental to the health of person or persons residing in the neighborhood thereof, is hereby declared a nuisance, and any owner, author or maker of any such nuisance who shall fail to remove the same within twenty-four hours after being notified to do so by the City Marshal, shall be subject to a fine in the sum of not less than five dollars nor more than two hundred dollars for each offense, and for each and every day thereafter that such nuisance remains he shall be fined not less than five dollars nor more than twenty dollars.

**238. Lot or Premises Filled up, etc.]** § 6. Any lot or premises which may be filled up or otherwise altered so as to stop the natural flow of water and create a stagnant pond or pool in any street or alley of this city, is hereby declared to be a nuisance, and any one found guilty of violating this section shall be fined in any sum not less than five dollars and not more than two hundred dollars for each offense, and the sum of five

dollars for every day such nuisance shall continue after such conviction.

**239. City Marshal shall Abate, etc.]** § 7. If the Mayor shall deem it necessary, he shall give notice to the City Marshal to abate any nuisance in this chapter described, and the City Marshal is hereby commanded, and it is hereby made his duty, to enter and abate such nuisance, and the cost of the same shall be recovered by the city in an action of debt against said owner, author or maker.

**240. Nuisance—Notice to Owner to Abate.]** § 8. When any nuisance, or anything likely to become a nuisance, may be found upon any premises within said city, or within one mile of the corporate limits of this city, and the person causing such nuisance or the owner of the said premises is unknown or cannot be found within the city, the City Marshal shall proceed to abate the same, after first giving five days notice by posting on the premises.

**241. Nuisance—Dead Animal, etc.]** § 9. The owner or possessor of any animal which may die, or be found dead, within said city, shall, within twenty-four hours thereafter, cause the carcass to be removed from out the corporate limits of the said city, and at least three hundred yards from the residence or place of business of every person. Whoever shall fail to comply with any of the requirements of this section shall be subject to a fine of not less than five dollars nor more than fifty dollars for each offense.

**242. Stock Yards, Cattle Pens, Etc.]** § 10. All cattle pens, stock lots, stock yards, chutes, and other places within the city used for shipping, loading, or unloading any horses, mules, cattle, sheep or hogs, which may be detrimental or obnoxious to the health or comfort of person or persons residing or doing business in the neighborhood thereof, by reason of the filthy condition of the same, are hereby declared to be nuisances; and the person or corporation having charge or control of such cattle pens, or stock yards, who shall neglect, or fail, or refuse to remedy or abate such nuisance, after being

notified so to do by the City Marshal, shall be subject to a penalty of not less than five dollars nor more than one hundred dollars, and a further penalty of five dollars for every day after the first conviction that the said nuisance shall be continued.

**243. Slaughter, etc.]** § 11. Whoever shall within the limits of this city establish or maintain any slaughter or packing house, or carry on the business of slaughtering or butchering cattle, sheep, swine or other stock, shall be guilty of creating a nuisance, and any person causing or continuing any such nuisance, shall be subject to a fine of not less than ten dollars nor more than one hundred dollars for each and every offense, and to a further fine of ten dollars for each and every day after the first conviction that any such nuisance shall remain.

**244. Houses of Ill Fame, etc.]** § 12. That all houses or tenements within the corporate limits or the city of Centralia, kept or used as houses of ill fame, assignation houses, or place for the practice of fornication, are hereby declared a public nuisance, and any and all persons found therein shall be deemed guilty of keeping, supporting, or maintaining a public nuisance, and upon conviction thereof shall be fined in any sum not less than eight dollars and not more than two hundred dollars.

**245. Stables, etc—Shall be Kept Clean.]** § 13. That the owner or keeper of any stable or place where any cows, horses, or other animals may be housed, shall keep the same at all times in a clean and wholesome condition, and shall not allow any animal to be or remain therein while infected with any disease, contagious or pestilential, without a permit, in writing, from the Mayor, and any one guilty of violating this section shall be fined in any sum not less than five dollars and not more than one hundred dollars for each offense.

**246. Buildings in Danger of Falling.]** § 14. Any building, wall, tower, chimney, or other structure, or any part thereof, within this city, which shall be in danger of falling, or otherwise in such condition as to be unsafe for person passing under or near the same, or residing adjacent thereto, is hereby declared to be a nuisance, and any owner or agent, or person in control of the same, or any part thereof, who shall fail to proceed

to abate the same within twenty-four hours after receiving notice so to do from the City Marshal, shall be deemed guilty of maintaining a nuisance, and upon conviction thereof shall be fined in any sum not less than five dollars and not more than two hundred dollars. In case the owner or agent of such building or structure cannot be found, the officer shall report the fact to the City Council, who may order the tearing down of the same or any part thereof.

**247. Wooden Buildings Within Fire Limits.] § 15.**

Any wooden building, or wooden part of any building, within the fire limits of this city, which may be located within twenty feet of any adjacent building, and which shall be so delapidated or out of repair as to be untenantable is hereby declared to be a nuisance, and any owner or person in control of such building who shall fail to proceed to abate the same within five days after receiving notice so to do by the City Marshal, shall be subject to a penalty of not less than five dollars and not more than one hundred dollars for each day after such notice that he shall fail or refuse to do so. And upon such neglect or refusal the City Council may order any such building or part of any such building to be taken down or removed.

**248. General Provisions.] § 16.** In all cases wherein no provision is herein made defining what are nuisances, and directing how the same may be removed and abated, in addition to what may be declared such herein, those offenses which are known to the common law of the land and the statutes of Illinois, as nuisances, may, in case the same exists within the city limits, be treated as such and proceeded against as in cases of nuisances herein provided for, and the penalty for commission of any such offense shall be not less than five dollars and not more than two hundred dollars.

## CHAPTER XXVII.

## NUMBERING HOUSES.

**249. Duty to Number Houses.]** § 1. It is hereby made the duty of the owners or occupants of all buildings in the City of Centralia to number them in the manner hereinafter set forth, and to have the numbers thereof conspicuously painted upon that portion of the building which fronts upon the public street, or upon the door, or above the same, so that said number can be plainly discerned and read from the street; and any owner or occupant who shall neglect or refuse so to number the building occupied or owned by him, for a period of thirty days after having been notified so to do by the Street Commissioner, shall be subject to a fine of five dollars, and an additional fine of one dollar per day for every day he shall continue to neglect to put such number upon such building, after the first conviction hereunder.

**250. Division Streets.]** § 2. The division line between the north and the south side of said city shall be Broadway and its extension on the east, and Miller or Fair Ground Avenue on the west end of Broadway; and the division line between the east and west sides of the city shall be the right of way of the Illinois Central Railroad Company.

**251. System.]** § 3. All buildings in this city shall be numbered according to the decimal system, and one hundred numbers shall be assigned to each lineal block of each street, which hundred numbers shall be divided equally, fifty on each side of such street. The first number on each side of Broadway and its extensions shall be one hundred (100); that portion of all streets running north and south crossing said division line, lying upon the north side thereof, shall be designated by the prefix North, and that portion lying to the south shall be designated by the prefix South; the even numbers shall be on the west side of said streets running north and south, and the odd numbers on the east side of said streets. The first

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number on each side of the Illinois Central Railroad right of way shall be one hundred (100); that portion of all streets crossing said right of way which lie on the west side thereof shall be designated by the prefix West, and that portion lying on the east side shall be designated by the prefix East; all odd numbers on streets running east and west shall be upon the south side of such streets and the even numbers shall be upon the north side thereof.

**252. Numbers Assigned by Street Commissioner.]** § 4.  
It shall be the duty of the Street Commissioner, upon application to him for that purpose, to assign and establish all house numbers in this city according to the provisions of this chapter, allowing, as far as practicable, one number for each twenty (20) feet frontage; and he shall prepare and keep a record of all numbers so assigned by him, the amount of frontage allowed therefor, and the exact location thereof, which information he shall furnish upon request of any property owner or occupant desiring the same.

## CHAPTER XXVIII.

## OFFENSES AGAINST PUBLIC MORALS AND DECENCY.

**253. Open Lewdness.]** § 1. Whoever shall be guilty of open lewdness, disorderly conduct, loud and profane swearing, using any obscene or vulgar language, or other act of public indecency, shall be fined not less than five dollars and not more than one hundred dollars.

**254. Houses of Ill Fame.]** § 2. Whoever keeps or maintains a house of ill fame, assignation house, place for the practice of prostitution or lewdness, or shall keep a common, or ill-governed and disorderly house to the encouragement of idleness, gaming, drinking, fornication or other misbehavior, or whoever patronizes the same, or shall be found therein, or shall be an inmate thereof, or lets any house, room, or other premises for any such purpose, shall be fined not less than eight dollars nor more than two hundred dollars; and whoever shall as agent, owner or otherwise, lease to another any house, room or other premises, in whole or in part, for any of the uses or purposes finable under this section, or knowingly permits the same to be used or occupied, shall be fined not less than ten dollars nor more than two hundred dollars. And for every twenty-four hours the said lessee shall be permitted by such agent, owner or person in control, to remain, after conviction for keeping such house, without taking legal action to eject such lessee, he shall forfeit and pay the further sum of twenty-five dollars.

**255. Keeping Tippling Houses Open on Sunday.]** § 3. Whoever keeps open any tippling house, or place where intoxicating liquors are sold or given away, or shall sell or give away any intoxicating liquor on the first day of the week, commonly called Sunday, shall be fined not less than ten dollars nor more than two hundred dollars.

**256. Late Hours.]** § 4. All persons found loitering upon or found walking the streets of the city between the hours of 11 o'clock in the afternoon and 4 o'clock in the forenoon of

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the succeeding day shall be fined in any sum not less than five dollars nor more than two hundred dollars: *Provided*, this section shall not apply to persons of good demeanor necessarily upon the streets in the pursuit of any legitimate business or object.

**257. Consorting With Lewd Women.]** § 5. Any person or persons found consorting with a prostitute or lewd woman within the city, shall be fined in any sum not less than five dollars nor more than one hundred dollars.

**258. Vagabonds and Vagrants.]** § 6. All persons who are idle and dissolute, and who go about begging; all persons who use any juggling or other unlawful games or plays; run-aways; pilferers; confidence men; common drunkards; common night-walkers; lewd, wanton and lascivious persons, in speech or behavior; common railers and brawlers; persons who are habitually neglectful of their employment or their calling, and do not lawfully provide for themselves, or for the support of their families; and all persons who are idle or dissolute and who neglect all lawful business, and who habitually mis-spend their time by frequenting houses of ill fame, gaming houses or tippling shops; all persons lodging in, or found in the night time in out houses, sheds, barns or unoccupied buildings or lodging in the open air, and not giving a good account of themselves; and all persons who are known to be theives, burglars, or pickpockets, either by their own confession, or otherwise, or by having been convicted of larceny, burglary; or other crimes against the laws of this State, punishable by imprisonment in the state prison, or in a house of correction of any city, and having no lawful means of support, are habitually found prowling around any railroad depot, banking institutions, broker's office, places of public amusement, auction room, store, shop or crowded thoroughfare, car or omnibus, or any public gathering or assembly, or lounging about any court room, private dwelling houses or out houses, or are found in any house of ill fame, gambling houses, or tippling shop, shall be deemed to be and they are declared to be vagabonds, and upon conviction thereof shall be fined not less than five dollars nor more than two hundred dollars.

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**259. Night Prowlers.]** § 7. Whoever in the night time shall prowl around or loiter in the vicinity of, or upon, any private grounds or dwelling, or in a barn, shed or outhouse, or peep in at any windows or doors of private dwellings, or whoever shall be found prowling or loitering in any public or private alley or in the vicinity of any store, building or other business house, shall be subject to a fine of not less than five dollars nor more than two hundred dollars for each offense.

**260. Curfew.]** § 8. That the Night Watchman shall, at the hour of 8 o'clock P. M., tap the fire bell eight distinct taps, after which it shall be unlawful for any person under the age of sixteen years to be on the streets of said city, except such as are out necessarily, or on errand. A violation of this section shall subject the offender to a fine of not less than five dollars nor more than two hundred dollars for each offense.

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## CHAPTER XXIX.

### OFFENSES AFFECTING THE PUBLIC PEACE.

**261. Intoxication.]** § 1. Whoever shall be found upon any street, highway or other public place intoxicated, or under the influence of liquor, or whoever being intoxicated shall disturb the peace of the public, or his own or any other private family, in any private building or place, or shall be guilty of disorderly conduct in any public or private place, in this city, shall be fined not less than five dollars nor more than one hundred dollars for each offense. But the Magistrate may remit the fine and costs, in whole or in part, when the offender has not disturbed the peace, if he is of the opinion that the public welfare and the good of the defendant requires it.

**262. Assault and Battery.]** § 2. Whoever shall be guilty of assault, or assault and battery, shall be fined not less than five dollars nor more than one hundred dollars.

**263. Disturbance of Peace.]** § 3. Whoever, at any time, disturbs the peace and quiet of the city, or any family, by loud and unusual noises, or by tumultuous and offensive carriage, threatening, traducing, quarreling, challenging to fight, or fighting, or whoever shall carry concealed weapons, or in a threatening manner display any pistol, knife, slung shot, brass, steel or iron knuckles, or other deadly weapon, day or night, shall be fined in any sum not less than five dollars nor more than two hundred dollars.

**264. Weapons—Deadly and Concealed.]** § 4. Whoever shall within said city, wear or carry concealed about his person, any pistol, revolver, slung shot, metallic knuckles, bowie knife, dirk, razor, or other dangerous or deadly weapon, or whoever shall display or flourish any such weapon in a boisterous or threatening manner, shall be subject to a fine of not less than five dollars nor more than two hundred dollars.

**265. Disturbing Religious Meetings.]** § 5. Whoever by menace, profane swearing, or any disorderly or unusual conduct, interrupts or disturbs any assembly of people met for the worship of God, shall be fined not less than eight dollars nor more than two hundred dollars.

**266. Disturbing School or other Lawful Assembly.]** § 6. Whoever interrupts or disturbs any school or other assembly of people met for lawful purpose, shall be fined not less than eight dollars nor more than two hundred dollars.

**267. Disturbing Funeral.]** § 7. Whoever wilfully interrupts or disturbs any funeral assembly or procession, shall be fined not less than eight dollars nor more than two hundred dollars.

**268. Rout.]** § 8. If two or more persons shall meet to do an unlawful act within said city, upon a common cause of quarrel, and make advances toward it, they shall be deemed guilty of rout, and shall be severally fined in any sum not less than five dollars nor more than two hundred dollars.

**269. Riot.]** § 9. If two or more persons actually do an unlawful act with force or violence against the person or property of another, with or without a common cause of quarrel, or even do a lawful act in a violent or tumultuous manner within said city, the persons so offending shall be deemed guilty of riot, and shall be severally fined not less than twenty dollars nor more than two hundred dollars.

**270. Affrays.]** § 10. If two or more persons shall, by agreement, fight within the corporate limits of said city, the persons so offending shall be deemed guilty of an affray, and severally fined not less than ten dollars nor more than two hundred dollars.

**271. Unlawful Assemblies.]** § 11. If two or more persons shall assemble together to do an unlawful act, and separate without doing or advancing towards it, such persons shall be deemed guilty of an unlawful assembly, and be severally fined not less than twenty dollars nor more than fifty dollars.

**272. Failure to Disperse.]** § 12. If two or more persons assemble, for the purpose of disturbing the public peace, or committing any unlawful act, and do not disperse on being requested or commanded so to do by the Mayor, Marshal, Police Magistrate, or other public officer, the persons so offending shall be severally fined not less than twenty-five dollars nor more than one hundred dollars.

**273. Boys Assemblying.]** § 13. Any two or more boys, or other persons, who, in the night time, may be assembled together and disturbing any lawful assemblage of persons, or making any unusual noise or disturbance, to the disquiet of the neighborhood or of any citizen, or who may be found loitering or strolling about, or who shall not disperse and go to their several homes when ordered by the Mayor, City Marshal, an Alderman, or other police officer, shall each severally be subject to a fine of not less than six nor more than two hundred dollars.

## CHAPTER XXX.

## OFFENSES AFFECTING THE PUBLIC SAFETY.

**274. Discharging Fire Arms, etc.]** § 1. That no person shall fire or discharge any gun, pistol, cannon, or fire-arms of any description, or fire, explode or set off any squib, cracker, or other thing containing powder, or combustible or explosive material, within the limits of said city, without the written permission from the Mayor, which permission or proclamation shall limit the time of such firing, and shall be subject to be revoked by the Mayor at any time after it has been granted. Any violation hereof shall subject the party offending to a fine of not less than five dollars and not more than one hundred dollars.

**275. Fast Driving.]** § 2. No person shall immoderately ride or drive any horse or mule on or upon any avenue, street or alley, within the limits of this city, under a penalty of not less than five dollars nor more than two hundred dollars. And it is hereby made the duty of every officer, and it shall be lawful for any citizen to stop any person who may be immoderately riding or driving as aforesaid.

**276. Slings or Sling Shots.]** § 3. No person shall use any sling or sling shot, of any description or material, within the corporate limits of this city, under a penalty of not less than five dollars nor more than one hundred dollars.

**277. Throwing Missiles or Stones.** § 4. No person shall throw or cast any stone, or any other missile, upon or at any building, tree, or any other public or private property, or upon or at any person or persons in any street, avenue, alley, public place, or in any inclosed or uninclosed ground in said city, or wantonly strike any post, fence or window, or aid or abet in the same, under a penalty for each offense of not less than five dollars nor more than two hundred dollars.

**278. Leaving Animals Unhitched.]** § 5. No person shall leave any horse, horses or other animals, attached to any carriage, wagon, cart, sleigh, sled, or other vehicle, in any of the

streets or alleys of the said city without securely fastening such horse, horses or other animals, and detaching the traces or tugs from said vehicle, under a penalty for each offense of not less than five dollars nor more than one hundred dollars.

**279. Open Cellar Doors.]** § 6. Any person who shall keep or leave open any cellar door, or well, or cistern, or grating of any vault, on any highway, sidewalk or uninclosed grounds, or suffer the same to be left or kept open, shall be subject to a fine of not less than eight dollars nor more than one hundred dollars.

**280. Obstructions to Lobbies and Passage ways in Public Buildings.]** § 7. No chairs, stools or seats of any description, shall be placed or permitted to remain in or across the lobby, aisles or passage ways in any theatre, hall or other public building, when the same is occupied by the public, under a penalty of not less than ten dollars nor more than two hundred dollars for each offense.

**281. Doors of Public Buildings to Swing Outwards]** § 8. All persons owning, managing, leasing or having charge of any church, theatre, opera house, public hall or other public building, shall be required to have all doors leading to or from the same hung so as to open out therefrom, under a penalty for each offense of not less than ten dollars nor more than two hundred dollars.

**282. Obstructing Entrance to Public Buildings.]** § 9. It shall be unlawful for any person or persons to stand in the lobby or outer entrance of any theatre, opera house, church or other public building, or on the sidewalk adjacent thereto, and within fifty feet of such entrance, and by so doing obstruct the entrance or lobby thereto, or disturb the peace, quiet or enjoyment of the occupants thereof, after a request is made to move by the owner, lessee, or any other person in charge, or any police officer, under a penalty for each offense of not less than five dollars and not more than one hundred dollars.

**283. Games, Exhibitions, etc., on Streets and Sidewalks.]**  
§ 10. No person shall engage in any game, sport or amuse-

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ment, or exhibit any animal or machine, or do any other thing on the streets or sidewalks which will have a tendency to frighten horses, or interfere with teams or vehicles, or persons passing along the streets or sidewalks, under a penalty of not less than five dollars and not more than fifty dollars.

**284. Throwing Water from a Hydrant on a Person.] § 11.**

Whoever shall wilfully turn a stream of water from any fire hose, hydrant, or connection of any kind or nature with the water pipes or mains, upon any person or upon any private premises on the occasion of any exhibit or tournament or otherwise, shall, on conviction, be fined not less than five dollars nor more than one hundred dollars.

**285. Blowing Police Whistles.] § 12.** Whoever shall sound any police whistle or ring any alarm bell without any sufficient cause within the city, shall be fined not less than five dollars and not more than fifty dollars for each offense.

**286. Throwing Slops From Upper Windows.] § 13.** It shall be unlawful for any person or persons to throw or cast any water, slops or other things, from any door or window above the first story of any building into any street or alley in said city. Any person violating this section shall forfeit and pay a fine of not less than five dollars nor more than two hundred dollars.

## CHAPTER XXXI.

## OFFICERS—GENERAL PROVISIONS.

**287. Who Eligible.]** § 1. No person shall be eligible to any office under the city government who is not a qualified voter of the City of Centralia, and who shall not have resided therein at least one year next preceding his election or appointment, nor shall any person be eligible to office who is a defaulter to the corporation.

**288. Oath and Bond.]** § 2. All officers of said city, whether elected or appointed, shall, before entering upon the duties of their respective offices, take and subscribe the oath or affirmation prescribed by law therefor, and all such officers, except the Aldermen, shall execute a bond payable to the City of Centralia, as provided by the chapter relative thereto, which official bonds shall have a certificate of acknowledgment of the principal and sureties attached thereto by some officer authorized to take acknowledgment of deeds; upon the approval of said bonds by the City Council, the City Clerk shall endorse the date of said approval thereon, and shall file the same, together with the oath of such officer, in his office: *Provided, however,* the City Clerk's bond shall be filed with the Mayor.

**289. New Bonds.]** § 3. Whenever the City Council shall be of the opinion that the security upon an official bond is insufficient, from death, insolvency, or removal of sureties from the city, or any of them, or when for any cause such bond shall be deemed insufficient, the City Council may require such official to give additional and satisfactory security on his said bond; any officer who shall neglect or fail for a period of ten days to furnish new or additional security, after being notified so to do, shall be deemed to have vacated his office.

**290. Officers to be Commissioned.]** § 4. When any person elected or appointed to an office in the City of Centralia shall have qualified as aforesaid, (except the Mayor, City Clerk, and Aldermen), the City Clerk shall make out and deliver to such officer a commission under the corporate seal, signed by

the Mayor and attested by the City Clerk. The Mayor shall issue a certificate of election to the City Clerk under the corporate seal. All commissions shall set forth the day of election or appointment, the title of the office, and the term for which the same shall be holden.

**291. Reports—Monthly and Annual.]** § 5. All officers of said city shall at the close of each month prepare a written report and submit the same to the City Council at its next ensuing meeting, setting forth in detail all the transactions of their respective offices, and all moneys and other property received, all expenditures by them made during said time, and the balance on hand in each fund of which they keep account. Said officers shall at the end of each fiscal year prepare and submit to the City Council a detailed report of all the transactions of their respective offices for the preceding year, setting forth fully the amount on hand in the several funds of which they are severally required by law to keep account, at the beginning of said preceding fiscal year, the receipts and expenditures thereof, and the balance on hands in said several funds at the close of said fiscal year, and such other matters and things as are required by the statutes of the State of Illinois and the ordinances of this city.

**292. Pay to Treasurer.]** § 6. All officers of this city who shall by virtue of their office receive any money for the use of the city shall, at the close of each calendar month, pay over the same to the City Treasurer, taking his receipt therefor, a duplicate of which receipt shall be filed with the City Clerk by the Treasurer on or before the first day of the next ensuing month.

**293. Officers Liable for Neglect.]** § 7. All officers shall be liable to the city for any loss or damage that may result from their negligence or wilful misconduct in the discharge of any official duty; and the City Council may in its discretion, by order, withhold the salary of any such officer to secure the city from loss.

**294. Officer to Deliver Property to Successor.]** § 8. Any person having been an officer of said city shall, within five days after notification and request thereto, deliver to his successor

in office all property, books and effects of every description in his posession or control belonging to the city or appertaining to his said office; and upon his neglect or refusal so to do he shall be subject to a penalty of not less than twenty-five dollars nor more than two hundred dollars, and shall be liable in a separate suit for damages caused by such neglect or refusal.

## MAYOR.

**295. Bond.]** § 9. The Mayor, before entering upon the duties of his office, shall execute a bond with two or more good and sufficient sureties, payable to the City of Centralia, in the penal sum of Five Thousand Dollars, to be approved by the City Council, conditioned for the faithful performance of all the duties of his office and the payment into the city treasury of all monies which may come to his hands by virtue of his office, according to the charter and ordinances of said city, and the statute of the State of Illinois relative thereto.

**296. Rights and Duties.]** § 10. The Mayor shall be the chief executive officer of the city, and ex-officio an active member of all committees of the City Council; he shall take care that all the laws of the State and the ordinances of the city are duly enforced, respected and obeyed within the limits of the city. He shall, from time to time, give the City Council information in relation to the affairs of the city, and recommend to its consideration such measures as he may deem important to the interests of the city, and shall sign all ordinances passed by the City Council.

**297. Appointing and Removal and Supervision of other City Officers.]** § 11. The Mayor shall have the power to appoint all officers of the city, whose election is not provided for by the statute or ordinance, with the approval of the City Council, and to remove the same for cause, in the manner prescribed by the statute. He shall have general supervision over all city officers, and may, as often as he shall deem it necessary, examine into the condition of their respective offices, the books, papers and records thereof, the manner of conducting their business, and may call upon any officer of the city for information in relation to any matter pertaining to the functions of his office.

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**298. Duties and Power Conferred by Statute.]** § 12. Reference shall be had to the revised statute of this State for the veto power and other powers conferred and the duties imposed upon Mayors of cities, and the said provisions are hereby made a part of this ordinance.

**299. Mayor to Report Neglect of Duty.]** § 13. The Mayor shall report to the City Council all violations or neglect of duty on the part of any city officer which shall come to his knowledge; and when he believes the city funds or property are liable to be lost, or injured by such violation or neglect he may immediately convene the City Council to take action in relation thereto.

**300. Signing Contracts in Behalf of the City.]** § 14. In all contracts between the city and another party, he shall sign the same in behalf of the city, and it shall be his special duty to see that the other party contracting faithfully performs or complies with his or their part of the contract.

**301. Assist Attorney in Suits of City.]** § 15. It shall be the duty of the Mayor to advise with and assist the City Attorney in collecting the evidence and the preparation of all suits wherein the City of Centralia is a party, and to have general supervision over the same.

CITY CLERK.

**302. Bond.]** § 16. The City Clerk shall, before entering upon the duties of his office, execute a bond to the City of Centralia in the penal sum of Two Thousand Dollars, with two or more sureties, to be approved by the City Council, conditioned for the faithful performance of all the duties of his office, and the payment of all moneys which shall come into his hands by virtue of his said office, and that he will comply with all ordinances and resolutions passed, or which may be passed, in relation to his official duties.

**303. Duties Prescribed by Statute.]** § 17. That all the duties of City Clerk, and City Comptrollers, as prescribed by the statutes of this State, relative to cities and villages, are hereby referred to and made a part of this ordinance, and are to be considered in connection herewith.

**304. Duties.]** § 18. It shall be the duty of the City Clerk to attend all regular and special meetings of the City Council, keep a correct journal of all the proceedings and record the same in a book kept for that purpose. He shall record in a separate book all ordinances from time to time passed by the City Council, and cause all ordinances imposing any fine, penalty, imprisonment, or forfeiture, or making any appropriation and such others as the City Council direct, to be published within one month from the passage thereof at least once in some newspaper of general circulation published in this city, and he shall note in said record of ordinances the date of the passage, and if published, add his certificate, under the seal of the city, of the publication thereof. He shall have the custody of all papers, books, maps, contracts, deeds, leases, and other documents belonging to the city, and not in actual use of other city officers; and shall, without delay, deliver to the City Council all communications or documents addressed to the same. The City Clerk shall provide, at the expense of the city, all the necessary books and stationery for the use of the City Council. He shall keep a correct account between the Collector of Taxes on real and personal property, in both Marion and Clinton counties, and the city, also an account between the City Treasurer and the city, and between the County Treasurers of Marion and Clinton counties and the city. He shall open and keep in a clear and methodical manner a complete set of books, wherein shall be stated, among other things, the appropriations for the year for each distinct branch of expenditure, and also receipts from each and every source of revenue, so far as he can ascertain the same. He shall countersign all warrants drawn upon the Treasurer, and state therein the particular fund or appropriation to which the same is chargable, the number of the same, the person to whom payable, and date, and no money shall be otherwise paid by the City Treasurer than upon such warrants so drawn; and he shall report at the first regular meeting in each month the condition of each particular fund, or appropriation. And the City Clerk shall do and perform such other duties as shall be required of him by the ordinances of this city, or the resolution of the City Council.

## CITY TREASURER.

**305. Bond.]** § 19. The City Treasurer, before entering upon the duties of his office, shall execute a bond with two or more good and sufficient sureties, to be approved by the City Council, in the penal sum of Twenty Thousand Dollars, payable to the City of Centralia, conditioned that he will faithfully perform all the duties of the office, and pay over all moneys which shall be received by him, by virtue of his office, according to law, and the ordinances of said city relative thereto.

**306. Duties Prescribed by Statute.]** § 20. Reference shall be had to the revised statutes of the State of Illinois for all duties of City Treasurer, and that portion of the same relative to City Treasurer is hereby made a part of this ordinance.

**307. Other Duties.]** § 21. It shall be the duty of the City Treasurer to keep a true account of all moneys belonging to the city that may come into his possession by virtue of his office, stating from whom, and on what account received, giving duplicate receipts to every person from whom he may receive money for the use of the city, one of which receipts such person shall hand to the City Clerk, in order that the Treasurer may be charged therewith, and in no case shall any officer of the city or any other person be relieved of his responsibility to the city, for any money he may have belonging to the city, until he shall have given the City Clerk the Treasurer's receipt therefor. He shall pay out whatever moneys may be ordered by the City Council, the orders being drawn by the City Clerk and signed by the Mayor of the city. The Treasurer shall make a full report of his doings during the previous year, stating the amount of money received, from whom and for what purpose, exhibiting all credits to the Clerk of the city, at the first regular meeting of the City Council in May in each year. He shall further perform such other duties as the City Council may require of him by ordinance or resolution.

**308. Record of Street Tax.]** § 22. It shall be the duty of the Treasurer of the city, upon the payment of one dollar and fifty cents in lieu of laboring upon the streets and alleys, to issue

to the person paying the same duplicate receipts, specifying it to be in full satisfaction for all labor due from such persons upon the streets and alleys for the year for which such payment is made, which receipt, when presented to the Street Commissioner, shall be a sufficient discharge to whom it is issued for the year mentioned therein from labor upon the streets and alleys; and it shall be the duty of the Treasurer to open a street tax account, mentioning the name of each person making payments to him upon his book. It shall be the further duty of the Treasurer to pay out said moneys upon the order of the City Council, which orders shall specify upon their face the fund from which they are to be drawn, and the Treasurer shall pay each order out of said fund and charge the same to that account and no other. The Treasurer shall report every month and oftener, if required by the City Council so to do, the state of the street tax fund.

**309. Accounts and Funds.]** § 23. The City Treasurer shall keep all moneys belonging to the city separate and distinct from his moneys, nor shall he use any moneys or warrants so in his hands for the use or benefit of himself or any other person. He shall keep books of account in such manner as to show with entire accuracy all moneys received by him and from whom, and on what account they shall have been received, and of all moneys paid out by him, and on what accounts they shall have been paid; which books and all papers and files of said office shall be at all times open to the examination of the City Clerk, the Finance Committee, or any member of the City Council, and in no case shall he pay any warrant drawn on the Treasurer except out of the funds appropriated for the purpose stated in said warrant, and he shall report at each regular monthly meeting of the City Council the condition of each fund or appropriation.

CITY ATTORNEY.

**310. Bond.]** § 24. The City Attorney, before entering upon the duties of his office, shall execute a bond in the penal sum of One Thousand Dollars, payable to the City of Centralia, with two or more good and sufficient sureties, to be approved by the City Council, condition for the faithful performance of all

the duties of his office, and the payment of all moneys which shall come into his hands by virtue of his office according to law and the ordinances of this city.

**311. Duties.]** § 25. It shall be the duty of the City Attorney to act as the legal advisor of the city in all matters pertaining to contracts with or by the city, or on any question of legality arising out of any law, ordinance, city charter or otherwise; to give his written opinion upon questions of law arising out of any suit, claim or demand, for or against the city, or upon the official action or duty of any officer; to keep a docket of all actions, suits or claims for or against the city, noting their progress and judgment therein. He shall commence and prosecute all actions or suits required to be instituted by and for the city for the recovery of any real estate, rights, privileges, demands or claims, whatsoever, and shall defend the city in all actions or suits brought or to be brought against it, or any of the officers thereof, whereby the estate, rights, ordinances, orders or acts of the city or any breach thereof, may be brought in question before the courts in the County of Marion. He shall draft all legal instruments which may be required by ordinance or otherwise. He shall prosecute, in behalf of the city, all actions or suits for the violation of any ordinance, commenced in any manner prescribed by ordinance, and he shall take appeals in all such cases wherein he shall deem the interests of the city to require it. He shall prosecute and defend the same in the Appellate Courts, and for this purpose shall make and execute in the name of the City of Centralia the necessary bonds, sign the same in the name of the Mayor, by himself as Attorney, and he shall do and perform all other duties incident to his profession, and which may be required of him by the ordinances of the city or the resolution of the City Council.

#### CITY MARSHAL.

**312. Appointment.]** § 26. That the Mayor is hereby authorized and empowered, with the approval of the City Council, to appoint a City Marshal in and for the City of Centralia, on the first Tuesday in May, or as soon thereafter as practicable, and annually thereafter, who shall hold his office for the term of

one year and until his successor is duly appointed and qualified, which City Marshal shall be ex-officio Superintendent of Police, and keeper of the city prison, also Health Officer, when no health officer is specially appointed.

**313. Duties.]** § 27. In addition to the duties required of City Marshals by the statute of the State of Illinois, the City Marshal shall perform the duties hereinafter mentioned.

**314. Head of Police Department.]** § 28. He shall, in subordination to the Mayor, have full management and control of the Police Department, and all regulations and orders concerning the same shall be promulgated through him, and all subordinate officers, including day and night police and special officers, shall be subject to such rules and regulations as shall from time to time be prescribed by said City Marshal, with the concurrence of the Mayor and Committee on Police.

**315. Shall Execute all Writs.]** § 29. He shall execute or cause to be executed all writs or other process issued by any Police Magistrate or Justice of the Peace in said city, in matters wherein the city is an interested party, and all executions, warrants, summons, and other processes issued by any such Police Magistrate or Justices of the Peace in such matters shall be delivered to the City Marshal or some officer designated by him, and he shall have the control of and be responsible for the proper execution, enforcement, or collection of the same, and chargeable to the city therewith.

**316. Keep Record.]** § 30. He shall keep and cause to be kept by the police a suitable record at all times open for examination, which shall state the day and hour of all arrests, the names of the parties arrested, the offense charged, when and before whom tried, how disposed of, if fined, how much, and when and how paid, or the time served in jail, or worked on streets, or if discharged, by whose order and for what cause; said record to show each day's proceedings, and the number of meals furnished prisoners each day.

**317. Devote His Entire Time to Duties of Office.]** § 31. He shall devote his entire time to the discharge of the duties of his office. He shall diligently inquire into all violations of the

city ordinances and the State law committed within the City of Centralia and shall prosecute all persons guilty thereof, and shall not serve writs, subpoenas, or other process of cases not originating in the city, nor of the Circuit Court, except where the city is a party. He shall ferret out all suspicious or disorderly houses in the city, and visit or cause the police to visit all parts of the city where disturbances, breaches of the peace, or violations of the ordinances occur, or seem likely to occur.

**318. Nuisance and Obstructions on Streets, Etc.]** § 32. He shall take notice of all nuisances, obstructions or defects in the streets, alleys and other public places in the city, and shall cause the same to be abated or removed, or immediate notice given to the proper officer whose duty it may be to take action relative thereto.

**319. Shall Report Police for Misconduct.]** § 33. He shall promptly report to the Mayor or the Chairman of the Police Committee any member of the police force who may be guilty of drunkenness, neglect of duty, disobedience of orders, or violation of the standing rules and regulations of the Police Department, and during the pendency of formal charges against any policeman said City Marshal may suspend such policeman from duty until such charges can be investigated.

**320. Attend Council Meetings.]** § 34. He shall attend every meeting of the City Council, or detail some member of the police force in his place, shall have the care and custody of the city hall and shall keep the council chamber clean and in good order, shall order fuel, lights and sundry supplies for same, and shall be responsible for the safe keeping of the same.

**321. Shall Make Complaint on Information]** § 35. When it shall come to his knowledge by information or otherwise that any ordinance of the city has been violated, he shall immediately make complaint before the Magistrate or a Justice of the Peace in said city, and shall immediately notify the City Attorney thereof, and attend to the procuring of the evidence of the prosecution, furnishing the Police Magistrate or Justice of the Peace the names of all witnesses for the prosecution, and cause the same to be in attendance at the trial.

**322. Shall Appoint Substitute.]** § 36. In case of sickness or absence from the city, he shall designate some member of the police force to act in his place, which said officer, while so acting, shall have the same powers so far as authorized by statute and shall be subject to the same duties herein prescribed concerning the City Marshal, and the said City Marshal may designate one of the police to take charge of the city prison and the inmates thereof during the night time, or when he is otherwise engaged.

**323. Monthly Reports.]** § 37. He shall make monthly reports to the City Council, in writing, showing the number of arrests made by the police or himself during the preceding month, the name of the party, the officer who made the arrest, the offense charged, the court before whom tried and the amount of fine assessed and collected.

**324. Custody of Property of Police Department.]** § 38. He shall have the care, custody and control of all books, records, equipments, and other property belonging to the police department, and of all stolen goods seized or retained by police authority, and upon the expiration of the term of his office, or his removal or resignation therefrom, shall surrender the same to his successor in office.

**325. Constable of Marion County.]** § 39. He shall have the same power and authority as a Constable at common law and under the statutes of this State, and shall take the oath and file a bond, as required by law of Constables; he shall have the power, and it shall be his duty to arrest, with or without process, using all necessary force, all persons who shall, in his presence, violate the ordinances of said city, or the laws of this State, and may at any time call upon any able-bodied male person above the age of eighteen to assist and aid him in arresting, retaking, or holding in custody any person guilty of having committed an unlawful act, and whosoever shall neglect or refuse to render such aid or assistance shall incur a penalty of not less than five dollars nor more than twenty-five dollars.

**326. Bond and Oath.]** § 40. Before entering upon the duties of his office the City Marshal shall take and subscribe the oath required by law of city officers, and shall execute a bond to the City of Centralia in the penal sum of Two Thousand Dollars, with sureties to be approved by the City Council, conditioned for the faithful performance of the duties of his office, and the payment of all moneys which shall come to his hands by virtue of his office, in the time and manner required by the ordinances of said city.

**327. Uniform.]** § 41. The City Marshal shall provide himself with a suitable uniform of the kind and quality to be prescribed by the Committee on Police, at his own expense, and wear the same when on duty, and the city shall furnish him a suitable hat, or helmet, to be prescribed by said committee, to be worn by the Marshal when on duty, and surrendered to the city when his term of office expires.

#### STREET COMMISSIONER.

**328. Appointment.]** § 42. The Mayor is hereby authorized and empowered to appoint, with the approval of the City Council, annually, on the first Tuesday in May, or as soon thereafter as practicable, a Street Commissioner in and for the City of Centralia, who shall hold his office for the term of one year, and until his successor is duly appointed and qualified.

**329. Bond.]** § 43. Before entering upon the duties of his office the Street Commissioner shall execute a bond in the penal sum of Two Thousand Dollars, payable to the City of Centralia, with two or more good and sufficient sureties, to be approved by the City Council, conditioned for the faithful performance of all the duties of his office, and the payment of all money, and the accounting for all property, which shall come to his hands by virtue of his office at the time and in the manner required by the ordinances of said city.

**330. Have Custody of Supplies and Machinery.]** § 44. The Street Commissioner shall, as soon as he has qualified, take a careful inventory of all lumber, brick, tile, stone, cement, lime and other material belonging to the city, to be used in the

repairing and construction of streets, alleys, sidewalks, bridges and sewers in said city, and shall open and keep an account of all new material received, of whom, where, in what manner, by whose order, and the quality and quantity of all material belonging to the city, and how used or disposed of. He shall also take a careful inventory of all the tools and implements belonging to the city used in repairing streets, sidewalks, bridges, etc., and shall keep an account of all new tools and implements purchased, and whenever any of the same are broken or worn out, so as to be worthless, he shall note the fact and report the same to the City Council in his monthly report, and at the end of his term shall render a strict accounting for all such property in his annual report.

**331. Duties—Improvements Exceeding Ten Dollars.] § 45.**

The Street Commissioner shall have charge of the improvement, repairing and cleaning of all streets, avenues and alleys in the city, and shall supervise the construction and repair of all sidewalks therein; but no improvement or repairs, except such as may be actually necessary to be made forthwith, to prevent loss to the city or danger to the public, if delayed until the next ensuing meeting of the City Council, shall be made without previous order of the City Council. He shall, without delay, cause all breaks in any street or alley crossing, sidewalk, bridge, culvert, apron, or other unsafe place to be repaired, and report the cost thereof to the City Council for allowance; and when the probable cost of such repair shall exceed ten dollars the same shall be made only with the concurrence of a majority of the Committee on Streets and Alleys, and if such concurrence is not obtained the repair shall be delayed until ordered by the City Council.

**332. Shall Enforce Ordinances.] § 46.** He shall cause all ordinances in relation to streets, alleys, sidewalks and bridges to be enforced, and shall file complaints and prosecute all persons for violations thereof. He shall carry into effect all such orders, general or special, as he shall receive from the City Council, and for any wilful neglect or refusal to perform any duty required of him by the laws or ordinances of said city, he shall be liable to removal from office.

**333. Shall Clean Streets.]** § 47. He shall annually, in the spring of the year, under the directions of the Committee on Streets and Alleys, cause the streets, avenues and alleys, where needed to be cleaned and the gutters opened, and shall, as far as practicable, keep them in that condition during the year. He shall, from time to time, examine the sewers, culverts, bridges, crosswalks, sidewalks, and report the condition of the same to the City Council, and recommend such improvements or repairs as he shall deem necessary.

**334. Employment of Laborers, Teams, etc.—Connection of Drains.]** § 48. He may, by authority of the City Council, employ such number of laborers, teams and wagons as shall be necessary for the cleaning, repairing and improving of the streets, alleys and sidewalks, and at such prices as shall be fixed by the City Council, not exceeding the customary rates paid by others for similar labor or service. He shall oversee and direct the street laborers and workmen, also persons working out fines and street tax, and shall require them to labor faithfully, and shall keep in a suitable book a correct account of their time. He shall also supervise the connection of all private drains or sewers with the public sewers, and shall see that none are connected except by express order or permission of the City Council, and that all such connections are made in such a manner that no injury shall result therefrom to the public sewers.

**335. Procuring Tools and Implements for City.]** § 49. He shall, from time to time, submit to the City Council a list of all tools and implements which are required for the proper working of his department, also the probable cost thereof, also a list of all materials necessary for the repairing and improving of the streets, alleys, sidewalks, sewers, culverts, bridges, etc., in said city, the quality and probable cost thereof, and shall purchase such tools, implements and materials only as the City Council shall order him to purchase. He shall cause all tools and implements to be branded by burning the letters "C" "C" on the handle thereof, and shall keep all such tools and implements under suitable cover, and all materials which will suffer by exposure under cover, and upon the city's premises.

## SUPERINTENDENT OF WATER WORKS.

**336. Appointment.]** § 50. The Mayor is hereby authorized and empowered to appoint, with the approval of the City Council, annually on the first Tuesday of May, or as soon thereafter as practicable, a Superintendent of Water Works in and for the City of Centralia, who shall hold his office for one year and until his successor is duly appointed and qualified.

**337. Oath and Bond.]** § 51. The Superintendent of Water Works shall, before entering upon the duties of his office, take and subscribe the oath required by law, and shall execute a bond payable to the City of Centralia in the penal sum of Two Thousand Dollars, with sureties to be approved by the City Council, conditioned for the faithful performance of all the duties of his office and the payment of all moneys which shall come to his hands by virtue of his office, according to the ordinances of said city.

**338. Control of Water Works.]** § 52. The Superintendent shall, subject to the Mayor and Water Committee, have full charge of the system of water works of this city, and it shall be his especial duty to see that all ordinances, rules and regulations concerning the use of city water and the protection of the water works system are strictly enforced and obeyed. He shall, upon information of any violation of the rules of the water works department or the ordinances of said city concerning the same, file a complaint against the offender and assist the City Attorney in prosecuting the same, and if the defendant is a water consumer shut off his supply of water, and report his actions to the City Council for their approval.

## SEXTON.

**339. Appointment.]** § 53. The Mayor shall annually on the first Tuesday in May, or as soon thereafter as practicable, appoint, with the approval of the City Council, a City Sexton in and for the City of Centralia, whose term of office shall be for one year, and until his successor is duly appointed and qualified.

**340. Bond.]** § 54. The City Sexton before entering upon the duties of his office shall execute a bond in the penal

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sum of Five Hundred Dollars, payable to the City of Centralia, with two or more good and sufficient sureties to be approved by the City Council, conditioned for the faithful performance of all the duties of his office according to law and the ordinances of this city.

**341. Duties.]** § 55. The Sexton shall have charge of the Centralia Cemetery, and shall keep and preserve the grounds, buildings and fences in good order and repair, and the monuments, tombstones, shrubbery and every other thing erected or placed in said cemetery for ornament or otherwise, free from injury or defacement, and the walks and avenues free from grass, weeds, rubbish or other obstructions. He shall see that all ordinances, rules and regulations relative to the cemetery are strictly enforced, shall report all offenders to the Mayor or Marshal, and shall file complaint against all persons who shall violate any ordinance relative to the cemetery; and the City Sexton shall perform such other and further duties as are prescribed in the chapter of this ordinance relative to the City Cemetery, and such other ordinances and rules as shall, from time to time, be adopted by the City Council.

#### CITY COLLECTOR.

**342. Appointment.]** § 56. That the Mayor, when the City Council deems it necessary, shall, annually on the first Tuesday in May, or as soon thereafter as practicable, appoint, with the approval of the City Council, a City Collector in and for the City of Centralia, who shall hold his office for the term of one year, and until his successor is duly appointed and qualified.

**343. Bond.]** § 57. The City Collector shall, before entering upon the duties of his office, execute a bond in the penal sum of One Thousand Dollars, payable to the City of Centralia, with two or more good and sufficient sureties to be approved by the City Council, conditioned for the faithful performance of all the duties of his office as prescribed by law and the ordinances of this city, and the payment of all moneys which shall come to his hands by virtue of his said office in the time and manner as the law directs.

**344. The Collector's Duties.]** § 58. The duties of said Collector shall be such as are provided by the statutes of the State of Illinois relative thereto, and such further duties as are now or may be, from time to time, provided by the ordinances of said city. All moneys received by him shall be turned over to the City Treasurer on the last day of each calendar month: *Provided*, he shall collect only such moneys as shall be expressly provided by ordinance to be collected by the City Collector.

## AUDITOR.

**345. Appointment.]** § 59. The Mayor, with the approval of the City Council, shall annually on the first Tuesday in April, appoint an Auditor in and for the City of Centralia.

**346. Duty.]** § 60. It shall be the duty of the Auditor to carefully audit and check up the accounts of all city officers of said city for the fiscal year, and he shall, on the first Tuesday of May, submit a detailed report to the City Council, verified by his oath, showing the exact condition of the accounts of all the officers of said city, and particularly any errors, shortages or irregularities therein.

**347. Bond.]** § 61. The Auditor shall, before entering upon the duties of his office, be required to give bond in the penal sum of Five Hundred Dollars, with two or more good and sufficient sureties, to be approved by the City Council, conditioned for the faithful performance of the duties of his office.

## POUND KEEPER.

**348. Appointment.]** § 62. The Mayor shall annually on the first Tuesday in May in each year, or as soon thereafter as practicable, appoint, with the approval of the City Council, a Pound Keeper in and for the City of Centralia, who shall hold his office for the term of one year, and until his successor is duly appointed and qualified.

**349. Bond.]** § 63. Said Pound Keeper shall, before entering upon the duties of his office, execute a bond to the City of Centralia in the penal sum of Five Hundred Dollars, with

two or more good and sufficient sureties to be approved by the City Council, conditioned for the faithful performance of all the duties of his office, and the payment of all moneys which shall come to his hands by virtue of his office, in the time and manner directed by the ordinances of this city.

**350. Duties.]** § 64. The Pound Keeper shall do and perform all the duties of said office, as are prescribed by the chapters of this ordinance relative to animals, dogs, and such other ordinances and resolutions as may from time to time be passed by the City Council concerning said office.

#### HEALTH INSPECTOR.

**351. Appointment.]** § 65. The Mayor is hereby authorized to appoint, with the approval of the City Council, an officer in and for this city to be designated as Health Inspector, which officer shall hold his office not to exceed sixty days in each year, unless the time is extended by special action of the City Council.

**352. Duties.]** § 66. It shall be the duty of the Health Inspector to carry into effect all orders of the Mayor and the City Council in relation to the sanitary condition of the city. He shall, upon view or when complaint may be made to him, make a thorough examination of any and all premises, and cause all nuisances to be removed and abated with reasonable promptness.

**353. Power and Authority.]** § 67. He shall be authorized and allowed at all times of the day to enter into any grocery store, meat shop, hotel, saloon, boarding house, factory, or other building within this city, and to examine the cellars, vaults, sewers or drains belonging thereto; also to enter all lots and premises and to cause all stagnant pools of water to be drained off, and all ash heaps or dirt piles to be removed; and he shall cause all privies, pig-stys, sinks and drains to be cleansed and kept in an inoffensive condition, and all dead animals and other unwholesome things to be buried or removed beyond the city limits.

**354. Refusing to Abate Nuisance.]** § 68. Whoever shall resist or obstruct the Health Inspector in the discharge of his duties, or shall neglect or refuse to remove or abate any nuisance

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from premises owned or occupied by him, after being notified so to do by said Inspector, shall be subject to a fine of not less than five dollars nor more than one hundred dollars.

**355. To Attend Meetings of Council.]** § 69. It shall be the duty of the Health Inspector to attend the meetings of the City Council and report and receive instruction relative to the condition of the health and sanitary needs of the city.

POLICE MAGISTRATE.

**356. Bond.]** § 70. The Police Magistrate shall, before entering upon the duties of his office, execute a bond in the penal sum of Two Thousand Dollars payable to the City of Centralia, with two or more good and sufficient sureties to be approved by the City Council, conditioned that he will faithfully perform all the duties of the office and pay over all moneys which shall come to his hands by virtue of said office at the time and in the manner as is required by the ordinances of said city.

**357. Duties.]** § 71. The Police Magistrate shall do and perform all such duties as shall be imposed upon said office by the ordinances of this city and the statutes of the State of Illinois, and shall at the end of each month pay over to the Treasurer all money collected by him during said month for the use of the city.

## CHAPTER XXXII.

## ORDINANCES.

**358. To be Recorded and Indexed.]** § 1. All ordinances passed by the City Council shall be deposited in the office of the City Clerk, and such as are not published in book or pamphlet form shall be duly recorded by him in the Record Book of Ordinances, and appropriately indexed by their titles or subjects.

**359. Clerk to Preserve—May Correct Errors.]** § 2. The City Clerk shall file and carefully preserve the originals of all ordinances deposited in his office. He may correct any errors in the numbering of any chapter, article, section or ordinance, and insert the proper numbers; and he may omit words inserted by clerical mistake, or supply, with brackets, words omitted by clerical mistake.

**360. Repealed Ordinances in Force Until, etc.]** § 3. Whenever any ordinance, or any part thereof, shall be repealed or modified by a subsequent ordinance, the ordinance or part thereof so repealed or modified, shall continue in force until the taking effect of the ordinance repealing or modifying the same. No ordinance or part thereof, repealed by the City Council, shall be deemed to be revived by the repeal of the repealing ordinance, unless it shall be therein so expressly provided.

**361. No Suit, etc., Released, etc., by Repeal of Ordinance.]** § 4. No suit, proceeding, fine, penalty, forfeiture, debt, right, or other liability whatever, instituted, incurred, created, given, or accrued, by or under any ordinance of the city prior to its repeal or modification, shall be annulled, released, discharged, or in any wise affected by the passage of such repealing or modifying ordinance; but the same may be prosecuted, recovered, completed and enjoyed as fully in all respects as if such ordinance or part thereof had remained in full force, unless otherwise expressly provided in the ordinance making such repeal.

**362. Definition of Terms of Ordinance.]** § 5. Whenever, in any ordinance, words importing the singular number are used in describing or referring to any person or subject matter, such

words shall be deemed to extend to and include several persons, matters or subjects. And words used collectively, or importing the plural number, shall be deemed to extend to and embrace any single person, matter or subject, as well as several. And whenever any person or subject matter shall be named, described, or referred to by words importing the masculine gender, or by general terms, females as well as males shall be deemed included in the meaning thereof. And the words "person" or "persons," or words importing any person or persons, shall be deemed to include bodies corporate as well as individuals: *Provided*, that these rules of construction shall not be applicable to any ordinance which shall contain any express provision excluding such construction, or where the context or subject matter may be clearly repugnant thereto.

**363. No Fines to Exceed \$200.]** § 6. Whenever a minimum but no maximum fine or penalty is imposed by ordinance, the court may, in its discretion, adjudge the offender or offenders to pay any sum of money over and above the minimum fine or penalty so fixed, not exceeding the sum of two hundred dollars.

**364. Ordinances to be Published.]** § 7. The City Clerk shall cause every ordinance of the City Council making any appropriation, or imposing any fine, penalty, forfeiture or imprisonment to be published in some newspaper published in the City of Centralia within thirty days after the passage thereof.

**365. Date of Passage and Publication to be Recorded.]** § 8. The City Clerk shall make, at the foot of the record of each ordinance, a memorandum of the date of its passage, and of the publication of the same, together with the name of the paper publishing the same.

**366. Mayor and Acting Mayor, etc.]** § 9. That whenever any power shall be vested in the Mayor, or he shall be required to do any act or perform any executive function, in his absence it shall be the duty of the acting Mayor for the time being to exercise such powers or to perform such acts of executive functions as fully as if expressly named in the ordinance, unless it shall be therein otherwise expressly provided, or unless such acts would be in derogation of law.

## CHAPTER XXXIII.

## PARKS.

**367. Central Park.]** § 1. That block 113 in the Railroad Addition to said city shall be called and hereafter known by the name of Central Park.

**368. Unlawful to Cut Grass, etc.]** § 2. That it shall not be lawful for any person to enter upon and cut or remove any grass or other article from Central Park without permission from the proper officer; nor to turn into said park any cattle, horses, hogs, or other animals; nor to hitch, fasten, or tie any animal whatever to any tree, fence or gate around the same; nor to cut, break, or deface the trees or fences around said park; nor to cut, injure, climb upon, break, bend, or destroy any tree, shrubbery, plant, or ornament, or the boxing or railing around the same, growing or being in said park. Any person violating any of the provisions of this section shall be fined in any sum not less than ten dollars nor more than one hundred dollars for every offense.

**369. Offenses.]** § 3. All persons are forbidden to carry firearms, or to throw stones or other missiles in said park. All persons are forbidden to cut, break, or in any way injure or deface the trees, shrubs, plants, turf, or any of the buildings, fences, or other constructions, or property within or upon the said park. No person or persons shall lounge or loiter in said park after eleven o'clock of any night, nor shall any person or persons do therein any obscene or indecent act. Any person violating any of the provisions of this section shall be fined in any sum not less than ten dollars nor more than one hundred dollars.

**370. Committee on Public Grounds to Have Charge of.]**  
§ 4. It shall be the especial duty of the Committee on Public Grounds to care for said Central Park and to see that the rules concerning the same are strictly enforced. Said committee shall see each spring that said park is supplied with suitable seats or benches, and that the same are painted and placed therein:

recommend to the City Council any new seats or other property required, and purchase the same under the instructions of the City Council. Said committee shall see that said park is kept free from brush and weeds, that the grass and trees are properly trimmed, and in the fall remove all benches and other property of a movable nature, likely to suffer from exposure, to suitable cover.

**371. Permission to Use Park.]** § 5. The Mayor shall have the power to grant permission for the use of the said park, and all parties desiring the use of the same for any public gathering shall make application to the Mayor, stating the character of the meeting or assembly proposed to be held, and if such proposed meeting is not likely to disturb the peace and good order of the city, or the neighborhood, and is of a moral character, he shall thereupon grant such permission: *Provided, however,* no permission granted by the Mayor for the holding of meetings or assemblies in said park shall protect the individuals so assembled from prosecution for the violation of any of the laws of this city.

## CHAPTER XXXIV.

## PLATS.

**372. Plats, Maps and Sub-divisions to be Approved, etc.]**

§ 1. No map, plat or sub-division of any block, lot, sub-lot or part thereof, or any piece or parcel of land within this city, nor of any addition of any piece or parcel of land to be admitted within the corporate limits of said city, shall be approved by the City Council of said city until the following requirements have been complied with, viz:

1. All streets, alleys, avenues or other public ways designated on such map, plat or sub-division shall be located as near as practicable to correspond and connect with the other established streets, avenues, alleys or public ways in the vicinity and, also, to admit of proper grades, sewerage and surface drainage conformable to any system of grades, sewers or surface drainage that may be established by said city.

2. The owner or owners of such land sought to be platted shall cause to be placed in such land suitable and sufficient permanent monuments of iron or stone at the intersection of all streets and at each and every angle in any street or streets, and shall designate upon the plat the point where each of said monuments may be found; and such map, plat or sub-division shall be made and properly certified by a competent surveyor, be acknowledged by the owner or owners of the land sought to be platted, as is provided by the general laws of the State of Illinois. And the owner or owners shall deposit with the City Clerk of the City of Centralia a sufficient sum of money to pay the Recorder of Deeds of Marion or Clinton counties, as the case may be, for recording the same.

**373. Laying Out Streets, etc.]** § 2. Hereafter, whenever the City Council shall, by ordinance, lay out, locate, open, widen, extend, or alter any street or public ground within the city, the City Council shall cause a plat thereof showing the width, courses and extent thereof, and making such references to

known and established corners or monuments that the location thereof may be ascertained, to be made and recorded in the office of the Recorder of Marion or Clinton counties, as the case may require, within six months after such street, alley or public ground is so laid out, located, widened, extended or altered; and whenever any street, alley or public ground shall be vacated the order, ordinance or other declaration vacating the same shall be in like manner recorded.

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## CHAPTER XXXV.

### PLUMBERS.

**374. License—How Granted.]** § 1. License may be granted to practical plumbers only by the Mayor, upon the recommendation of the City Council, and the applicant shall furnish satisfactory evidence that he is competent and experienced in his business and at least twenty-one years of age; which application shall be filed with the Clerk in writing, setting forth the name of the applicant and the firm name under which the business is to be carried on, and if the City Council recommend the granting of such license the same shall be paid for at the rate of ten dollars per annum, and all licenses shall expire on the first day of May ensuing the issue of the same, and whoever shall do or transact the business of plumber, or do any plumbing in this city without having obtained a license so to do shall be fined in any sum not less than five dollars nor more than fifty dollars.

**375. Bond.]** § 2. Upon the issue of such license the plumber shall execute and deposit with the City Clerk a bond, payable to the City of Centralia in the penal sum of Five Hundred Dollars, with two or more good and sufficient sureties to be approved by the City Council, conditioned that he will indemnify and save harmless the City of Centralia of and from any and all damages caused by negligence of himself, or his servants or employes, or for any carelessness or unskillfulness in the exercise of his business by virtue of such license.

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**376. Regulations and Revocation of License.]** § 3. All licensed plumbers shall be subject to such ordinances, rules and regulations as shall, from time to time, be passed by the City Council, and such rules as shall be prescribed by the Water Committee; and license granted under this chapter may be revoked by the City Council or Mayor for cause: *Provided*, that when such license is revoked by the Mayor he shall submit to the City Council his action and reason therefor.

**377. Not to Make New Connections Without Permit.]** § 4. That it shall be unlawful for any plumber to make any connection with service pipes or mains in said city, or make any new connection or alteration upon any premises in this city, whereby the use of city water may be increased, or diverted to other or new uses on said premises, except upon delivery to said plumber by the owner or occupant of said premises, or his agent, of a regular permit from the Superintendent of Water Works of said city, setting forth in detail the specific purposes and number of taps which may be made upon said premises, whereby city water may be used, and no plumber shall make any connections or alter any connections except such number, and for the specific purposes mentioned in said permit. Any plumber who shall violate this section shall be subject to a fine of not less than five dollars nor more than one hundred dollars, and shall be liable to have his license revoked by the City Council.

**378. Plumber's Return of Permit.]** § 5. That every plumber who shall do or perform any work, make any taps or connections, by virtue of the permit granted therefor, as mentioned in the foregoing section, shall, within five days after said work is completed, prepare upon the back of said permit a detailed report of the number of connections, the character and purposes for which the same are to be used, and the location of the same under and by virtue of such permit, and shall file said report, together with said permit, with the Superintendent of Water Works forthwith. Any plumber who shall neglect or fail to prepare and file such return shall be subject to a fine of not less than five dollars nor more than one hundred dollars.

**379. Attachment of Service Pipe.]** § 6. Every attachment with the service pipe or other connection with the mains shall be made by or in the presence and subject to the orders of the Superintendent of Water Works, and at the expense of the applicant, pursuant to a permit granted him, according to the provisions of the ordinances relative to water works. No service pipe shall be attached to any main of a greater diameter than three-fourths of an inch, and no ferrule shall be entered into any distributing main nearer than eighteen inches from the end of any pipe, and no two ferrules closer than two feet shall be entered into the same pipe; nor shall any change of ferrule be made on any premises where the use of water has been previously obtained until the ferrule previously used has been drawn and the opening where such ferrule was inserted shall have been securely stopped by a brass plug, at the expense of the party asking such change: *Provided*, that ferrules larger than three-fourths of an inch in diameter may be inserted in the mains, upon a special permit of the Water Committee, and on condition that the party applying for such permit shall pay the expense of a suitable iron clamp around the main where such ferrule is inserted.

**380. Two Premises Not to Use From One Tap.]** § 7. No plumber shall be permitted to enter a pipe or conduct water into two distinct premises or tenements unless separate and distinct stop cocks shall be placed on the outside of each of said premises, or on the sidewalk, or in the public alley opposite the same, in addition to the main stop cock on the sidewalk opposite the ferrule, as the Superintendent may direct, unless the person or persons controlling the main stop cock shall pay all the water rents for the premises so supplied.

**381. Stop Cocks.]** § 8. All connections shall be provided with a good and sufficient stop and waste cock, which shall be enclosed in a suitable iron case coming up even with the surface of the ground, with a suitable square head of uniform size. They shall be placed near the sidewalk and shall have the letter "W" cast upon the lid or top of the case.

**382. Strength of Pipes, etc.]** § 9. Stop cocks and the pipes and all appurtenances shall be of sufficient strength to

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resist the pressure and ram of the water. No pipes shall be used in connection with the main service pipes, or where the same is subject to the pressure from the distributing mains, except a galvanized iron pipe capable of standing a pressure of two hundred pounds to the square inch, or that class of lead pipe known as "extra strong," and all service pipes shall be laid at least two and one-half feet below the surface of the earth, and when of lead pipe it shall be laid with sufficient slack, or waving, to allow an extra length of at least one foot, to prevent rupture from settling.

**383. Plumbing Inspected.]** § 10. All plumbing shall be done in the manner prescribed by ordinance, or such rules as shall from time to time be adopted by the Water Committee, and before pipes are covered and as soon as inside plumbing is completed the plumber shall notify the Superintendent of Water Works, whose duty it shall be to inspect the same. Any work that does not comply with this ordinance or the rules prescribed by the Water Committee, shall, upon examination, be condemned by said Superintendent, and thereupon the plumber shall remove the same at his own expense, and replace it with the kind and quality, and in the manner prescribed by ordinance or such rules of the Water Committee. Any plumber who shall neglect or fail to comply with the above requirement shall be subject to a fine of ten dollars, and his license may be revoked by the City Council.

## CHAPTER XXXVI.

## POLICE.

**384. Department Shall Consist of, etc.]** § 1. There is hereby established a Police Department in the City of Centralia, which shall consist of four Policemen, who shall hold their respective offices for a term of one year and until their successors shall be appointed and qualified, and such other number of Policemen as shall hereafter, from time to time, be fixed by the City Council.

**385. Appointed by Mayor.]** § 2. The Policemen shall be appointed by the Mayor, by and with the advice and consent of the City Council, annually on the first Tuesday in May or as soon thereafter as practicable.

**386. Policemen Shall Take Oath, etc.]** § 3. Each Policeman shall, before he enters upon the duties of his office, take and subscribe the oath provided by law for the city officers, and shall give a bond to the City of Centralia in the penal sum of One Thousand Dollars, conditioned for the faithful performance of the duties of the office.

**387. Some Act as Night and some as Day Policemen.]** § 4. The Mayor shall designate three of said Policemen so appointed and qualified to act as night Policemen, and the other Policemen to act as day Policemen. He may, when necessary, detail any police officer for the discharge of any police duty, and may also require all Policemen to perform police duty at any time of the day or night.

**388. Special Policemen when Necessary, etc.]** § 5. The Mayor may on special occasions, when in his judgment the public peace and good order of the city shall so require, appoint and commission such number of special Policemen as may be necessary and shall fix in the order of their appointment the time during which they shall serve: *Provided*, no special Policemen so appointed shall serve longer than the next ensuing regular session of the City Council, without the consent of the City Council thereto.

**389. Powers and Duties, etc.]** § 6. Such special Policemen shall possess the same powers, exercise the same duties and be subject to the same regulations as the regular Policemen, and paid as compensation at the rate of one dollar and fifty cents per day for the time while they are actually on duty.

**390. Shall Devote Entire Time to the Discharge of Duty, etc.]** § 7. The several members of the Police force when on duty shall devote their time to the discharge of the duties of their station according to the laws and ordinances of the city and the rules and regulations of the Police Department, and it shall be their duty to preserve order, peace and quiet and enforce the ordinances throughout the city.

**391. Power to Arrest without Process, when, etc.]** § 8. They shall have power to arrest without process all persons within the city who shall in their presence break the peace or violate any ordinance of the city or any criminal law of this State; to commit for examination and, if necessary, to detain such person or persons over night or Sunday in the city prison, or other secure place, until they can be brought before the proper magistrate or court for examination or trial.

**392. Power to Execute Legal Process, etc.]** § 9. They shall have power and authority in the corporate limits of the city to serve or execute warrants or other legal process for the apprehension and commitment of persons charged with or held for the commission of any crime or misdemeanor, or the violation of any law or ordinance of said city to whomsoever said process be directed. And while serving, executing, or assisting in the serving or executing, of any such warrant or legal process they shall be vested with all the common law and statutory powers of Constables for such purpose.

**393. May Call on Persons to Assist, etc.]** § 10. Any police officer of this city may, at any time, call upon any able bodied male person above the age of eighteen years to aid him in the arresting, retaking, or holding in custody of any person guilty of having committed an unlawful act. And whoever shall neglect or refuse to give such aid or assistance, when so required, shall incur a penalty of not less than five dollars and not more than twenty-five dollars.

**394. Shall Aid Fire Department.]** § 11. It shall be the duty of members of the Police Force to aid the Fire Department by giving alarms in case of fires and in clearing the streets and grounds in the immediate vicinity of any fire, so that the firemen shall not be hindered or obstructed in the performance of their duties.

**395. Conduct of Policemen While on Duty.]** § 12. Any member of the Police Department who shall neglect or refuse to perform any duty required of him by the ordinances of the city, or the rules and regulations of the said Department, or shall take a drink of intoxicating liquor while on duty, or shall, in discharge of his official duties, be guilty of any fraud, favoritism, extortion, or wilful wrong or injustice shall, in each case, be subject to a fine of not less than five dollars nor more than one hundred dollars, and shall also be subject to removal from office.

**396. Shall Wear Uniform, Kind, etc.]** § 13. The several members of the Police Force shall wear a uniform which shall consist of a navy blue suit of clothes, brass buttons, black cap or hat and metal star or badge, all to be of such material and pattern as may be prescribed by the Committee on Police; said uniform to be furnished by the officer at his own expense, except the hat or cap and badge, which latter shall be furnished by the city and be deliver up to the Mayor on the expiration of his term.

**397. Mayor may Appoint Special Watchmen for Corporations or Private Company, etc.]** § 14. Upon application by any railroad company having a depot in said city, or by any other private company or corporation, the Mayor may appoint one or more Watchmen, designated by said applicant, to continue in office during the pleasure of the Mayor and said applicant. Said Watchman shall have the same power and perform the same duties as City Policemen at and about the railroad depots or other premises where they are appointed. But no such Watchman shall receive any salary or compensation for his services other than that which shall be paid him by the company at whose request he is appointed. Every such Watchman, before he enters upon the duties of his office, shall qualify in such manner as City Policeman.

## CHAPTER XXXVII.

## PORTERS AND RUNNERS.

**398. License—Penalty.]** § 1. No person shall pursue the calling of porter or runner, or solicit the patronage of any traveller or person upon any public street, depot or other public place for any hotel or public house within this city, nor carry goods, wares, merchandise, trunks, valises, bundles, or other articles, for hire, compensation or reward, with or without a hand-cart, wheelbarrow, or other hand vehicle, within this city, without first having obtained a license so to do, for which license he shall pay the sum of five dollars per annum: *Provided*, hotels employing more than one porter shall pay two dollars for each additional license after the first one. Whoever shall violate the provisions of this section shall be subject to a fine of not less than five dollars nor more than fifty dollars for each offense.

**399. Hotel Keeper May Take Out License—Proviso.]** § 2. The proprietor or keeper of any hotel or public house within this city may take out a license for such hotel or house, authorizing the keeper thereof to employ a suitable and well-behaved person to represent such house as porter or runner, and such person shall then be authorized to act without further license, and such porter or runner may be changed in the discretion of the person or firm holding the license: *Provided*, that no two persons shall be authorized to act under one license at one time.

**400. Shall Wear Badge.]** § 3. Every porter or runner, licensed as aforesaid, shall, while engaged about his business as such, wear conspicuously upon his hat or cap a badge or plate with the name of the hotel or public house represented by him; or if he is simply a porter, then the word "Porter" engraved thereon in plain letters. Any violation of this section shall subject the offender to a fine of not less than five dollars nor more than ten dollars for each offense.

**401. Boisterous Conduct Prohibited.]** § 4. That hereafter it shall be unlawful for any porter, runner, hackman, or other per-

son licensed under this chapter, while pursuing his calling at any railroad depot or other public place in this city, to speak in a loud or boisterous tone or manner, or use any profane or obscene language, or to lay hold of any person or traveller, or any article of baggage unless by the permission of the owner or possessor thereof, or to in any manner vex or harrass or annoy any person; and a violation of this section shall subject the offender to a fine of not less than five dollars nor more than one hundred dollars for each offense.

**402. Conduct at Depots.]** § 5. It shall be unlawful for any hackman, hotel runner, porter, or other person licensed under this chapter, while pursuing his calling about any railroad depot, to approach nearer the platform of any passenger car from which passengers are alighting than a distance of eight feet; nor shall any such porter, hackman or runner enter any waiting rooms at depots, except for the purpose of receiving and delivering baggage, nor shall they lounge in or occupy such waiting rooms at any time while pursuing their usual vocation, except by express permission of the agent or person in charge of the said depot or waiting rooms; and a violation hereof shall subject the offender to a fine of not less than five dollars nor more than one hundred dollars for each offense.

## CHAPTER XXXVIII.

## PRISONS.

**403. City Marshal shall be Keeper of, etc.]** § 1. That the City Marshal shall be the keeper and have the superintendence and control of the city prison. It shall be his duty to have said prison at all times in readiness for the reception and confinement of prisoners, and to receive into said prison all persons committed to the same by any Police Magistrate or Justice of the Peace of the city upon conviction for the violation of any ordinance of the city, or who shall be committed by a Magistrate or Justice of the Peace for examination charged with such violation, or who shall be arrested by any of the city authorities in the night time or on Sunday, for the violation of any ordinance committed in the presence of such officer.

**404. Sanitary Condition of the Jail, etc.]** § 2. The City Marshal shall keep the said city prison and the bedding and furniture therein in as clean a condition as circumstances will permit, and shall enforce proper sanitary rules to protect the inmates. He shall, if necessary, compel persons confined therein to keep themselves and their wearing apparel in a cleanly and decent condition at all times, and to keep their apartments or other parts of the prison in a clean and wholesome condition.

**405. Dieting Prisoners.—Refusal to Work.]** § 3. The City Marshal shall furnish each prisoner, daily, with as much clean water as may be necessary for drink and personal cleanliness, and serve him or her with a sufficient amount of wholesome food, well cooked: *Provided, however,* that whenever any person so committed shall wilfully and stubbornly refuse to work at such work as his or her strength will permit, when required to so work by the proper officer, or shall refuse to do or perform any other lawful labor on demand made upon him or her by the proper officer, such person, while so wilfully and stubbornly refusing, shall be allowed only clean water as aforesaid, together with a sufficient amount of well baked bread.

**406. Shall Furnish Medical Aid, Bedding, etc.—Males and Females Not Occupy same Apartments.]** § 4. The City Council shall furnish necessary bedding and medical aid, and in cases of extreme destitution sufficient clothing to keep prisoner from suffering, and shall keep prison properly heated, lighted and ventilated. Males and females shall not be permitted to occupy the same apartments.

**407. Permitting Prisoners to Escape—Penalty.]** § 5. Every officer of the city having charge of any prisoner shall be careful and vigilant to prevent the escape of any prisoner and to retake them when escaped; and when necessary to prevent the escape of any prisoner or to keep him in proper subjection, such officer may secure the said prisoner with handcuffs or other fastenings. Any such officer or any person having the care, custody, or control of any prisoner, who shall wilfully or negligently suffer or permit such prisoner to escape shall, on conviction, be subject to a fine equal in amount to the fine and costs due from such prisoner at the time of his escape, and shall be liable to removal from office.

**408. Aiding or Assisting Prisoners to Escape.]** § 6. Any person or persons who shall aid, assist, or furnish to any prisoner any means of escape from such prison shall, on conviction, be fined in any sum not less than ten dollars and not more than two hundred dollars.

**409. Furnishing Liquor to Prisoners.]** § 7. Every person who procures for, furnishes, or conveys to any prisoner confined in the said prisor any intoxicating or spiritous liquors, shall, upon conviction, be fined in any sum not less than five dollars and not more than fifty dollars.

## CHAPTER XXXIX.

### PROTECTION TO PROPERTY.

**410. Hitching of Horses.]** § 1. It shall be unlawful for any person to hitch or fasten any horse, mule, or other animal to any lamp post, awning post, telegraph, telephone, or electric light pole, shade tree or fence, within the City of Centralia, without the express consent of the owner of said post, pole, tree or fence; and whoever shall violate this section shall be subject to a fine of not less than five dollars nor more than one hundred dollars.

**411. Injuring Street Lamps, Telephone and Other Poles.]** § 2. Whoever shall wilfully, maliciously, or negligently break, deface, injure, or destroy any street lamp, electric light, lamp post, telegraph, telephone, or electric light pole, in said city, shall be subject to a fine of not less than five dollars nor more than two hundred dollars.

**412. Injury to Trees or Public Property.]** § 3. Whoever shall cut, hew, mar, deface, injure, or destroy any shade tree, awning, or hitching post, sidewalk, bridge, sewer, or culvert, or any building or fence, or other property belonging to the city, or on the public streets, alleys, or public grounds in this city belonging to private individuals or corporations, shall be subject to a fine of not less than five dollars nor more than two hundred dollars.

**413. Removing Gates, Overturning Privies.]** § 4. Whoever shall remove, break, or injure any gate or fence, or overturn or injure any privy, barn, or other building in said city, or cut, mar, injure, or destroy any private property, without the owner's consent, shall be subject to a fine of not less than five dollars nor more than two hundred dollars.

## CHAPTER XI.

## RAILROADS.

**414. Track Shall Conform to Grade—Ditches and Drains to be Kept in Repair—Penalty.]** § 1. It shall be the duty of all railroad companies or corporations whose tracks now run within, or may hereafter enter or pass through the City of Centralia, to raise or lower their respective tracks to conform to any grade which is or may be established by the City Council for any street or alley upon or along which said track or tracks may be laid or run, and where such track or tracks run lengthwise of any street or alley to keep the same on a level with any street or alley surface, so that they may be conveniently crossed at any place on said street or alley; and to make and keep open and in repair suitable ditches, drains, sewers and culverts along and under their respective railroad tracks, so that filth or stagnant pools of water cannot stand on their grounds or right of way, and so that the natural drainage of the adjacent property shall not be impeded, and to construct and keep in repair suitable and convenient crossings at the intersection of their said tracks with any street, avenue, or alley in said city; and to so construct, lay down and maintain their said tracks and crossings as to interfere as little as possible with ordinary travel over, upon, or along the streets, avenues and alleys used or crossed by them. Any such railroad corporation or company failing, neglecting, or refusing to comply with any of the above requirements of this section, within thirty days after written notice to do so, given by the Street Commissioner, or other proper officer of said city, shall, thereafter, be subject to a fine of not less than ten dollars nor more than two hundred dollars. And the recovery of one fine shall be no bar to further prosecution for a like failure or neglect.

**415. Railroad Companies to be Notified to Make Crossings, etc.—Penalty.]** § 2. Whenever any street crossing, culvert, or bridge shall be needed upon the line of any railroad within said city, or shall need to be altered or repaired, and the same shall have been ordered by the City Council, it shall be the duty of the City Marshal to give to the railroad company notice

in writing of the work to be done and the place where required. And any railroad company or corporation neglecting or refusing to construct, alter, or repair any such crossing, culvert, or bridge, within thirty days after the service of such notice, shall thereafter be subject to a fine of not less than ten dollars and not more than fifty dollars for each and every day of such neglect or refusal.

**416. City May Construct, etc.]** § 3. In the event of any railroad company or corporation failing or refusing to construct, alter, or repair any crossing, bridge, or culvert, when duly notified to do so, as provided in the preceding section of this chapter, the City Council may order such crossing, bridge, or culvert constructed, altered, or repaired, and such company or corporation shall, thereupon, be liable to said city in an action of debt for the costs and expense thereof.

**417. Shall Keep Light and Flagman at Crossing—Penalty.]**

§ 4. Whenever any railroad company or corporation shall, in pursuance of resolution or order of the City Council, be notified to keep a conspicuous light of any kind at any point on its track crossed or intersected by any street or avenue in said city, or to keep a watchman or flagman at any such point for the protection of persons or property against injury at any such crossing, it shall be the duty of any such railroad company or corporation, at its own expense, to place and keep such light as required, or to station and retain such flagman, whose duty it shall be at all times to warn persons traveling in the direction of the railroad crossing when there is danger from the approach of locomotive engine, train or car. Any railroad company or corporation failing or refusing to comply with either or any of the requirements of this section, after being duly notified, as aforesaid, in writing, by the City Marshal, shall, thereafter, be liable to a fine of not less than ten dollars and not more than two hundred dollars for each offense, and every day of such failure or refusal to comply shall be deemed a separate offense.

**418. Obstructing Streets—Penalty.]** § 5. No railroad company, railroad engineer, train conductor, or other person shall obstruct or impede any street, alley, sidewalk, crossing, or other

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thoroughfare of said city, or any part thereof, by stopping any train thereon, or by leaving any locomotive engine, car or cars thereon for a longer time than ten consecutive minutes, under a penalty of not less than ten dollars nor more than two hundred dollars for each offense, and a further penalty of ten dollars for each succeeding ten minutes that the obstruction shall be allowed continuously to remain after the penalty is incurred.

**419. Limit of Speed.]** § 6. No railroad company, or conductor, engineer, or other employe of such company, managing or controlling any locomotive engine, car or train shall run or move the same, or permit the same to be run or moved at a greater rate of speed than ten miles per hour for passenger trains and six miles per hour for other trains, engines or cars, under a penalty of not less than ten dollars and not more than two hundred dollars for each offense.

**420. Unnecessary Whistling of Locomotives.]** § 7. No railroad engineer, fireman, or other person shall sound the whistle of any locomotive engine within this city, except necessary brake signals, and such as may be necessary to avoid accidents, under a penalty of not less than ten dollars and not more than one hundred dollars for each offense.

**421. Bell to be Rung—Keep Light on Moving Train.]** § 8. The bell of each locomotive engine shall be rung continuously while running upon any railroad within said city; and every locomotive engine, car or train of cars running in the night time on any railroad track in the said city, shall have and keep a conspicuous light at the forward end of said train of cars or locomotive engine, and in the day time a watchman on the advanced end thereof. If such engine or train be backing, it shall have a conspicuous light in the night time and in the day time a watchman at the rear of the engine or train to show the direction in which the same is moving. Any railroad company or corporation, or any agent or employe of such company or corporation, who shall violate or fail to observe any of the requirements of this section shall incur a penalty of not less than ten dollars and not more than one hundred dollars for each offense.

**422. Persons not to Hang on to the Steps of a Railroad Car, etc.]** § 9. That it shall be unlawful for any person not an employe of a railroad company or corporation to get upon the steps or platform of any railroad engine or car, or cling to the same while in motion, within the limits of the City of Centralia, and any person found guilty of violating this section shall be fined in any sum not less than five dollars nor more than two hundred dollars.

**423. Not to Permit Cars of Combustible Matter to Stand on Railroad Tracks—Penalty.]** § 10. It shall be unlawful for any railroad company to suffer or permit any cars loaded with oil or other inflammable or combustible matter or substance in tanks, barrels or otherwise, or cars loaded with stock, or which have not been thoroughly cleaned since containing stock, or which contains manure, decayed vegetation, or other noisome, obnoxious or offensive matter, to stand or remain on any track on Chestnut street between Fourth North and Fourth South streets, or upon or adjacent to Oak street between Fourth North and Fourth South streets, in the city, for a longer space of time than one continuous hour. A violation of this ordinance is hereby declared to be a nuisance, and shall subject any company guilty of the same to a fine of not less than ten dollars nor more than two hundred dollars, without any previous notice being required to remove said cars. Nothing in this section contained shall be construed to conflict with any provisions of any ordinance of this city regarding the obstruction of street crossings by railroad companies or their employes.

**424. Laying Railroad Tracks in Streets, etc.]** § 11. It shall be unlawful for any person or corporation to lay any railroad track or tracks in, along, across or upon any of the streets, avenues, alleys, or other public places within the City of Centralia, without procuring from the City Council permission therefor in writing. And before any such permit shall be issued there shall be paid to the city, by the person or corporation requesting the same, the cost of issuing the permit and the expense of causing the construction under such permit, to be superintended by the Street Commissioner. Any violation of the

above section shall subject the offender to a fine of not less than one hundred dollars nor more than two hundred dollars for each offense. And for every twenty-four (24) hours any railroad track or tracks, ties, rails, grading, embankment, excavation or cut shall be allowed to remain or be in, upon, over, or across any street, avenue, alley, or other public place, within said city, the person or corporation so offending shall be deemed guilty of a separate offense under this ordinance.

## CHAPTER XLI.

### SCAVENGERS.

**425. License and Penalty.]** § 1. That no person shall carry on the business of Night Scavenger, or engage in the business of cleaning out privy vaults, cess pools or sink holes, without having paid for a license so to do, which license shall be paid for at the rate of ten dollars per annum, or for such proportionate part of a year as the same shall be issued, and all such licenses shall expire on the first day of May next ensuing their issue. And whoever shall pursue such calling or engage in such business, without having obtained a license so to do, shall be fined not less than five dollars nor more than one hundred dollars.

**426. Penalty for Scattering Filth on Streets.]** § 2. Every vehicle used to transfer dung, filth, offal or other offensive matter through the streets of the city, shall be fitted with a tight box or barrels, and shall be so constructed that no portion of the offensive matter conveyed shall be scattered or left on the streets, and when necessary to prevent the escape of offensive odors from said box or barrels, the same shall have a tight covering of some suitable material. Any Scavenger using in his business any vehicle not of the construction specified, or who shall scatter, leave or deposit any filth, offal or offensive matter upon any street, alley or common within the city, shall be subject to a penalty of not less than five dollars nor more than one hundred dollars.

**427. Hours When to Remove, and Disposition of Offal.]**

§ 3. No privy vault shall be opened, or the contents thereof disturbed or removed, between the hours of five o'clock A. M. and ten o'clock P. M. of any day, nor shall such contents be deposited or buried within the city, except by special permission of the Board of Health of said city, and in such manner and places as shall be by them directed. And if any Night Scavenger shall not bury such contents, as above provided, and cover the same so as to prevent any smell arising therefrom, his license shall be immediately forfeited and annulled by the Mayor. Any person violating any of the provisions of this section shall be subject to a penalty of not less than five dollars nor more than twenty-five dollars for each offense.

**428. Scavengers Charges.] § 4.**

Night Scavengers shall be allowed to charge for and receive for material removed by them three dollars for the first cubic yard, two dollars for the second, and one dollar for the third cubic yard, and for each additional cubic yard over three cubic yards, the sum of one dollar. And whoever, being licensed as a Scavenger, shall charge in excess of the above rates for removing material from one place to another in this city, shall be subject to a fine of not less than five dollars nor more than one hundred dollars.

## CHAPTER XLII.

## SEAL.

**429. Description of Seal.]** § 1. That a seal, in circular form, with the words "City of Centralia, Illinois," and in the interior and center of said circle the words "Incorporated March, 1859," shall be the seal of the City of Centralia, to be used in all cases that have been or shall be hereafter provided by law or the ordinances of the City of Centralia, and in all cases in which it is or may become necessary to use a seal by the corporation. But in no case shall the impression of the corporate seal be binding upon the city, unless it is authorized by law or the ordinances of said city, and is attested by the official signature of the City Clerk.

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## CHAPTER XLIII.

## SEWERS.

**430. Sewers—How Constructed.]** § 1. All sewers ordered and provided for by the City Council of the City of Centralia, shall be constructed of such form and dimensions, and of materials of the best quality, laid in such manner, and of such thickness, and to such grade and depth, as may be prescribed by ordinance. All such sewers shall be laid at such depth below grade as will effectually drain such lateral sewers as may be conducted into the same, and drains from cellars, and grounds in the lowest part of the district through which it is laid; and all such sewers shall be constructed with reference to future connections and extensions, and suitable openings or "Tees," and "Crosses," shall be left at all cross streets or intersections, to admit of proper connections with such lateral sewers as may thereafter be constructed in such cross streets, and such openings shall be securely closed with suitable coverings, so that the same

will not permit of the sewerage to escape thereat, and so that connections may be made at the proper time without damaging the main sewer.

**431. Inlets, etc.]** § 2. For the purpose of carrying off the surface drainage, suitable grated openings or inlets shall be constructed at proper intervals, in each block, which intakes shall be connected with the main sewer by suitable pipes of sufficient size and laid with such descent or fall as will effectually carry off the surface water into the sewers.

**432. Lateral Sewers and Private Drains.]** § 3. All drains from private property into public sewers shall be constructed only upon express permission granted by the City Council, application being made for that purpose, setting forth the size, depth and kind of drain, and the purpose for which the connection is to be made, and all of such drains shall be laid at such depth, and connected in such manner as the City Council shall prescribe, and shall be constructed of suitable iron or tile pipes. The City Council shall have the right to prescribe a uniform rate of charges for all connections of private drains made with public sewers, which charge shall be paid before connection is made; and all such connections shall be made under the supervision of the Street Commissioner.

**433. Certain Uses Prohibited.]** § 4. No connection shall be used into any public sewer for the purpose of discharging or exhausting steam, nor shall any butchers' offal, garbage or decayed vegetation, be deposited or thrown into any public sewer, or private drain connecting therewith; nor shall any privy vault or water closet be emptied into any such sewer. Whoever shall violate any of the terms of this section, or whoever shall connect any private drain with a public sewer, without the permission of the City Council, as is provided in the preceding section, shall be subject to a fine of not less than five dollars nor more than two hundred dollars, and the City Council shall have the power to order such private drains disconnected.

**434. Obstructing Sewers, or Natural Drains, or Changing Same.]** § 5. That no natural drain shall be changed or altered, except upon the permission of the City Council, and under the

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direction of the Street Commissioner, and whoever shall obstruct, fill up or change any natural drain, whether on public or private lands in this city, without such permission of the City Council, or obstruct, fill up, break, or otherwise damage any public sewer, shall be subject to a fine of not less than five dollars nor more than two hundred dollars, and shall be liable for a further fine of five dollars per day for every day he shall neglect to replace such sewer or drain in the condition it was before interfered with, after being so notified by the Street Commissioner so to do.

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## CHAPTER XLIV.

### SIDEWALKS.

**445. Ten Foot Stone Sidewalks.]** § 1. That all sidewalks constructed on the following portions of the public streets in the City of Centralia, to-wit: On the east side of Locust street from Broadway to First South street; on the west side of Locust street from Broadway to the City Hall; on the north side of Broadway from Poplar street to Walnut street; on the south side of Broadway from Poplar street to Walnut street; on the west side of Chestnut street from the north line of lot eight, in block twenty-one, to the south line of lot two, in block thirty-seven; on the east side of Oak street from Broadway to the north line of lot nine, in block twenty, shall be constructed of natural or artificial stone of a width of ten feet, in strict accordance with the specifications hereinafter set forth.

**446. Five Foot Stone Sidewalks.]** § 2. That all sidewalks constructed on public streets in the following described territory, to-wit: Commencing at the corner of Broadway and Sycamore streets, and running thence west upon and including Broadway to Maple street, thence north upon and including Maple street to Second North street, thence west on and including Second North street to Elm street, thence north on and including Elm street to Third North street, thence west on and including Third North street to Poplar street, thence north on and includ-

ing Poplar street to Fourth North street, thence west on and including Fourth North street to Locust street, thence south on and including Locust street to Third North street, thence west on and including Third North street to Walnut street, thence south on and including Walnut street to Second North street, thence west on and including Second North street to Hickory street, thence south on and including Hickory street to Broadway, thence west on and including Broadway to Cherry street, thence south on and including Cherry street to First South street, thence east on and including First south street to Chestnut street, thence south on and including Chestnut street to Second South street, thence east on and including Second South street to Locust street, thence south on and including Locust street to Fourth South street, thence east on and including Fourth South street to Poplar street, thence north on and including Poplar street to Second South street, thence east on and including Second South street to Maple street, thence north on and including Maple street to First South street, thence east on and including First South street to Sycamore street, thence north on and including Sycamore street to Broadway, the place of beginning, except such portion of said streets in said territory as are required by the preceding section to be provided with a ten foot walk, shall be constructed of natural or artificial stone, of a width of five feet, in strict accordance with the specifications hereinafter set forth.

**447. Five Foot Brick Walks.]** § 3. That hereafter all sidewalks constructed on the public streets within the territory hereinafter described, except such portion of said territory as is included in the two preceding sections, that is to say, commencing at the corner of Fourth North and Pine streets and running thence west upon and including Fourth North street to Maple street, thence north on and including Maple street to Fifth North street, thence west on and including Fifth North street to Poplar street, thence south on and including Poplar street to Fourth North street, thence west on and including Fourth North street to Rexford Avenue, thence west on and including Rexford Avenue to Beech street, thence south on and including Beech street to Second North street, thence west on and including

Second North street and Edward street, its extension, to Brook-side Avenue, thence south on and including Brookside Avenue to Miller Avenue, thence east on and including Miller Avenue to Washington Boulevard, thence south on and including Washington Boulevard to the south line of Pullen and Hamm's Boulevard Addition, thence east on said south line to the Marion county line, thence south on said county line to Second South street, thence east on and including Second South street to Cherry street, thence south on and including Cherry street to Third South street, thence east on and including Third South street to Hickory street, thence south on and including Hickory street to Fourth South street, thence east on and including Fourth South street to Locust street, thence south on and including Locust street to Shawnee street, thence east on and including Shawnee street to Poplar street, thence north on and including Poplar street to Seventh South street, thence east on and including Seventh South street to Maple street, thence north on and including Maple street to Fourth South street, thence east on and including Fourth South street to Sycamore street, thence north on and including Sycamore street to Second South street, thence east on and including Second South street to Pine street, thence north on and including Pine street to Fourth North street, the place of beginning, shall be constructed of a good quality of smooth, hard burned paving brick, and of a width of not less than five feet, and in strict accordance with the specifications hereinafter set forth.

. 448. **Four Foot Brick Sidewalks.]** § 4. That all other sidewalks constructed on public streets in this city, not included in the territory described in the three preceding sections, shall be constructed of a good quality of smooth, hard burned paving brick, and of a width not less than four feet, and in strict accordance with the specifications hereinafter set forth.

449. **Specifications for Natural Stone Sidewalks.]** § 5. That where the property owner in the districts hereinbefore mentioned shall determine to construct a natural stone sidewalk on that portion of the public street in said territory on which his lot or lots shall abut, pursuant to the provisions of this ordinance, he shall first cause the sub-surface to be properly shaped

and graded to a uniform depth of six inches below the sidewalk grade line, to be furnished him by the Street Commissioner, and the surface thus formed shall be thoroughly packed by ramming. After the grading and shaping is done a sub-foundation of gravel or sand, free from earthy substance, not less than two inches thick, shall be placed on the sub-grade, and shall be well consolidated by ramming to an even surface and uniform thickness. When this sub-foundation is completed, a good quality of hard limestone, free from soft or shaly spots, and such only as shall be approved by the Street Commissioner and Committee on Streets and Alleys, shall be laid on said sub-foundation, true to the grade, with edges jointed so as to make a neat and compact joint.

Where ten foot sidewalks are required to be constructed, said stone flagging shall be not less than four inches in thickness, and the slabs shall not be of a greater width than five feet, and shall rest on suitable brick or stone foundations at the curb, center and lot line, of not less than eight inches in thickness, and of a suitable depth to insure permanency and stability, and against all danger of settling.

Where said stone walks are required to be but five feet, the stone shall be not less than three inches in thickness, and not more than five feet in width; no brick or stone foundation shall be required, but clay or sod shall be placed on both sides, on the same level with the top of the stone, so as to prevent the sand or gravel of the sub-foundation from being washed out from underneath the same.

**450. Specifications for Artificial Stone Walks.]** §. 6.  
That where the property owner, in the districts hereinbefore mentioned, shall determine to construct an artificial stone walk on that portion of the public street in said territory on which his lot or lots abut, pursuant to the provisions of this ordinance, he shall first cause the sub-surface to be properly shaped and graded to a uniform depth of twelve inches below the sidewalk grade line, to be furnished him by the Street Commissioner, and the surface thus formed shall be thoroughly packed by ramming.

After the grading and shaping are done, a sub-foundation, entirely of clean sharp gravel, free from earthy substance, not less than eight inches in thickness shall be placed on the sub-

grade, and shall be well consolidated by ramming to an even surface and uniform thickness. When this sub-foundation is completed, the artificial stone flagging shall be laid in a good workmanlike manner, and shall consist of two courses: First—a bottom course shall be laid of three and one-half ( $3\frac{1}{2}$ ) inches in thickness, composed of coarse sand and fine gravel, clean and sharp and free from all dust and earthy substance, and of the best quality of pure Portland cement, in the proportion of three (3) parts sand and gravel to one (1) part cement; said sand, gravel and cement, in the above mentioned proportions, shall be first mixed dry, then sufficient clean water shall be slowly added by sprinkling while the material is constantly and carefully stirred and worked up, until the whole is thoroughly mixed and is of a consistency so as to pack together thoroughly when rammed; the sub-foundation shall then be moistened, by sprinkling, and this mass of cement spread over the same and thoroughly rammed, so as to fill all the interstices with cement, and thoroughly packed, especially at the outer edges thereof. Second—when this bottom course is completed, the finishing or wearing course shall be added as follows: This course shall consist of a mortar composed of clean, sharp sand or granulated granite, and of the best quality of pure Portland cement, in the proportion of two (2) parts of cement to three (3) parts sand or gravel, and shall be laid to the depth of one-half ( $\frac{1}{2}$ ) inch, and shall be thoroughly smoothed to an even surface, which after the first setting begins shall not be disturbed by additional rubbing.

The sidewalk, before the cement sets, shall be cut through both layers of cement at intervals of four feet, to give the appearance of flag stones, and when completed, it shall be covered for three days, and kept moist by sprinkling. The edges of said sidewalk shall be so made as to show one quarter of an inch bevel.

That where ten foot walks are required to be constructed, an outer curb of artificial stone constructed in the same manner as the surface walk, or a natural stone curbing, shall be set at the outer edge of such walk; said curbing to be so placed as to prevent settling or falling away from such walk, and deep enough in the earth to prevent action from frost.

And where five foot walks are constructed, clay or sod shall be placed on both sides of the same, to prevent the sub-foundation from washing out from underneath the same.

**451. Specification for Brick Sidewalks.]** § 7. That the property owners whose lot or lots abut upon said streets on which brick sidewalks are required to be constructed, shall construct the same according to the following specifications, towit: The surface of the earth shall be properly graded to a uniform depth of eight inches below the sidewalk grade line, to be furnished by the Street Commissioner, and the surface thus formed shall be thoroughly rolled or rammed. After the grading and shaping are done, there shall be set up on end, on both sides of the trench thus formed, good smooth, hard burned, paving brick, eight inches long, eight inches broad and two inches thick; they shall be set in straight lines, vertical to the plane of the walk, their tops forming a smooth, regular surface, conforming to the elevation of the sidewalk grade, so furnished by the Street Commissioner. On the sub-grade between said curbs shall be evenly spread a bed of gravel, entirely free from dirt and earthly substance, of the depth of five inches, which gravel shall be thoroughly rammed so as to settle and pack the same; on this bed of gravel shall be spread a layer of screened sand, free from dirt, of a thickness of one inch at the outer edge of the walk, and with its surface convexed so as to have a gradual rise of one-half an inch to the foot from the outer edge of said walk to the center, which layer of sand shall be lightly rammed, to compact the same in said shape; and on this bed of sand shall be laid, in herring bone shape, on their flat sides, in close contact with each other, a layer of even sized, whole, hard burned brick, of not less than two inches in thickness, eight inches in length and four inches in width. After said bricks are laid they shall be made smooth, conforming to the above mentioned convexity, by placing a plank upon the same and striking it with a heavy beetle; them over this shall be spread a layer of fine screened, dry sand one-half inch thick, and swept in until all joints and crevices are filled.

**452. Street Commissioner to Oversee Work.] § 8.**

That all material used in the construction of sidewalks, as required by this ordinance, shall be submitted to the Street Commissioner and Committee on Streets and Alleys, before the same are used, and it shall be the duty of the Street Commissioner and said Committee to reject all materials which do not strictly conform to the provisions of this ordinance; and the Street Commissioner shall also supervise the construction of all such sidewalks, both as to the material and the manner of construction, and when completed he shall report the same to the Committee on Streets and Alleys, whose duty it shall be to immediately inspect the same; and no money shall be paid by the city, as hereinafter provided for its proportionate share of the cost of construction of such sidewalks, except upon a certificate from the Street Commissioner, approved by the Committee on Streets and Alleys, showing the area of such sidewalk, and that the materials used therein and the manner of construction are in strict compliance with the terms of this ordinance.

**453. Time When Walks Shall be Constructed.] § 9.**

That whenever, in the judgment of the Street Commissioner and Committee on Streets and Alleys, any sidewalk in this city has become worn, decayed, or dilapidated, so as to be dangerous to the public, it shall be the duty of the Street Commissioner, acting with the advice and consent of the Committee on Streets and Alleys, to report the same to the City Council, who shall proceed to condemn the same and have the same removed, and instruct the Street Commissioner to notify the owner or agent of the property, on which said sidewalk abuts, to replace such sidewalk within thirty days, with a stone or brick sidewalk of the dimension, kind and quality required by the provisions of this ordinance.

That no wooden sidewalks shall be rebuilt in this city, except where the same are so elevated, or across such natural water courses as to be, in the judgment of the Street Commissioner and Committee on Streets and Alleys, impracticable to construct stone

or brick walks; and such elevated wooden sidewalks shall be constructed only upon the order of the City Council, and at the entire expense of the property owner whose lot it abuts.

**454. City to Contribute a Portion of the Cost.]** § 10.  
That whenever, pursuant to the notice served upon him by the Street Commissioner for that purpose and the provisions of this ordinance, a property owner shall construct a sidewalk of the width of ten feet, the city, upon the presentation of the bill for the total cost of the same, excluding any portion of the cost of the foundation necessitated by reason of pillars, or other openings, and the certificate of the Street Commissioner, as hereinbefore provided, shall pay said owner one-fifth (1-5) of the cost of said walk.

That whenever, pursuant to the notice of the Street Commissioner and the provisions of this ordinance, a property owner shall construct a sidewalk of the width of five feet, the city, upon presentation of the bill for the total cost of the same, including the corner square of sidewalks abutting on corner lots, and the certificate of the Street Commissioner, as hereinbefore provided, shall pay said owner one fourth. ( $\frac{1}{4}$ ) of the total cost of such sidewalk.

That whenever, pursuant to the notice of the Street Commissioner and the provisions of this ordinance, a property owner shall construct a sidewalk of the width of four feet, the city, upon the presentation of the bill of the total cost of the same, including the corner square of sidewalks abutting upon corner lots, and the certificate of the Street Commissioner, as hereinbefore provided, shall pay said owner one-fourth ( $\frac{1}{4}$ ) of the total cost of such sidewalk.

**455. Failure to Construct Sidewalks Voluntarily.]** § 11.  
That whenever a property owner shall neglect or fail to construct his sidewalk within thirty days, pursuant to the notice served upon him by the Street Commissioner and the provisions of this ordinance, or shall construct his sidewalk prior to any such notice, he shall not be entitled to any contribution toward the cost of the same by the city, although he may thereafter construct such sidewalk; and the City Council shall forthwith take

the necessary steps to construct sidewalks of the dimensions and character specified in this ordinance, whenever the property owner shall neglect or fail to do so within the thirty days allowed therefor; and the total costs of the construction of such sidewalks shall be paid for by a special tax levied upon the property of such owner abutting upon such sidewalk, according to the foot frontage thereof, and the statute in such case made and provided.

#### OBSTRUCTIONS TO SIDEWALKS.

##### **456. Porches, Steps, etc—Not to Protrude Over Sidewalk.]**

§ 12. No porch, stoop, step, stair railing, platform, bay or other window, erected or to be erected within this city, shall be allowed to extend into or upon the public sidewalk. Any violation of this section shall subject the offender to a fine of not less than five dollars nor more than two hundred dollars for every day such obstruction shall continue after notice from the Marshal or Street Commissioner to remove the same.

**457. Signs, Cellar Doors, etc.]** § 13. No sign shall project from any store or other building into or upon or over any sidewalk or public street, unless elevated at least ten feet above the same. Nor shall any cellar door rise or project above the surface of the sidewalk, nor shall the hinges thereof, or anything connected therewith, project or rise above the door, nor shall any staple, lock or other fastening be placed on the upper side thereof. Whoever shall violate the provisions of this ordinance shall be subject to a penalty of five dollars for each offense, and to a further penalty of five dollars for each day such obstruction shall be continued after notice from the Marshal or Street Commissioner to remove the same.

**458. Displaying Goods on Sidewalk.]** § 14. No person shall place or cause to be placed upon any public sidewalk in this city any goods, wares or merchandise for sale or show beyond two feet from the front line of the lot where such goods are exposed. Nor shall any goods, wares or merchandise be suspended for sale or show at a height of less than eight feet above any public sidewalk. No stands or other structures shall be permanently erected and maintained upon any sidewalk for the purpose of displaying goods or merchandise, and all stands

and other structures upon public sidewalks for displaying goods and merchandise, shall be removed and said sidewalk cleared from such obstructions from and after sunset until sunrise. Whoever shall violate this section shall be subject to a fine of five dollars for each offense, and a further fine of five dollars for each day such obstruction shall be continued after notice from the City Marshal or Street Commissioner to remove the same.

**459. Receiving and Delivering Goods on Sidewalk.] §**

15. No person or firm receiving or delivering goods, wares or merchandise in this city shall place or keep the same upon any public sidewalk, without leaving a passage at least six feet wide for foot passengers; and no person or firm receiving such goods shall suffer or permit the same to remain on such sidewalk for a longer period than six hours. Whoever shall violate this section shall be subject to a fine of five dollars for each offense, and a further fine of five dollars for every twenty-four hours said obstruction shall remain as aforesaid after notice from the City Marshal or Street Commissioner to remove the same.

**460. Auctioneers not to Collect Crowd on Sidewalks.]**

§ 16. Any person or persons who shall cause a crowd of people to collect upon any sidewalk or street in this city, by means of public outcry, sleight of hand performance, auctioneering, show, music or other entertainment, whereby the free passage of persons is hindered or prevented, shall be deemed guilty as the author of a nuisance, and of obstructing sidewalks or streets, and shall be subject to a fine of not less than five dollars and not more than one hundred dollars.

**461. Vehicles not to be Driven over Sidewalks.] § 17.**

No person or persons shall cross or pass over any sidewalk with any horse, mule, team, wagon, carriage or other vehicle, or ride or drive thereon, except where necessary to cross the same to get into a yard or lot where no suitable crossing has been provided, under a penalty of five dollars for each offense.

**462. Street Cross Walks Not to be Obstructed.] § 18.**

All cross walks in this city shall be kept free from any wagons, carts, drays, carriages, horses, or other animals, and the same

shall not be placed or suffered to stand thereon, except so far as may be necessary to cross the same, and the owner of such wagon, vehicle, or animal, or the party obstructing such cross walk therewith, shall be subject to a fine of not less than five dollars nor more than fifty dollars for each offense.

**463. Coal Holes and Vaults Under Sidewalks.] § 19.**

Whenever the owner or tenant of the abutting estate is permitted to construct and use a coal hole or vault in front of or on the side of said estate, and under the sidewalk, he shall, in consideration thereof, be held responsible to the city for any and all damages to persons or property in consequence of any defect in the construction of said vault or coal hole, or for allowing the same or any portion thereof to remain out of repair, or in consequence of the aperture in the sidewalk being left exposed or uncovered, or from the covering thereof being left insecure or unfastened, and said owner or tenant shall be required to maintain and keep such coal hole or vault, and the sidewalk over the same in and in front of said estate in good order and repair, and safe for public travel over the same.

**464. Persons Not to Lounge Upon or Obstruct Sidewalks.]**

§ 20. No person shall obstruct or encumber any street corner, sidewalk, or other public place of the city by lounging or loitering in, on, or about the same, and they shall immediately move on and disperse upon the request of any officer of the city. Any person violating any of the provisions of this section shall forfeit and pay not less than five dollars nor more than two hundred dollars.

**465. City Officers to Remove Obstructions.] § 21.** It shall be the duty of the Mayor, Marshal, or Street Commissioner to cause any obstruction erected, placed, or continued contrary to the provisions of this ordinance, to be removed within a reasonable time, after notice to that effect by either of the officers aforesaid has been served upon the party or parties erecting, placing, or continuing such obstruction; and the owner, agent, or party causing such obstruction or violation shall pay all expenses and costs of such removal in addition to the penalties aforesaid.

**466. Pedestrians Entitled to Undisputed Right of Way.]**

§ 22. That whoever runs a hand truck, or wheelbarrow along or upon any sidewalk in this city shall, at all times, upon meeting or overtaking any pedestrian upon such sidewalk, remove such vehicle entirely off of such sidewalk so as to give such pedestrian a free and uninterrupted passage of the entire width of such sidewalk. And whoever shall violate the provisions of this section shall be subject to a fine of not less than five dollars nor more than two hundred dollars for each offense.

**467. Unlawful to Ride Bicycles or Tricycles on Sidewalks.]** § 23. That it shall be unlawful for any person to ride any bicycle, tricycle, or other similar vehicle along or upon any public sidewalk within the limits of this city. And whoever shall violate this section shall be subject to a fine of not less than five dollars nor more than two hundred dollars for each offense.

**468. Trucks and Wheelbarrows not to be Overloaded.]**

§ 24. That it shall be unlawful for any person to run a truck or wheelbarrow over any public sidewalk in this city with more than one trunk or piece of baggage, or more than one box thereon, or at a greater rate of speed than a moderate walk. And whoever shall violate this section shall be subject to a fine of not less than five dollars nor more than two hundred dollars for each offense.

## CHAPTER XLV.

## SLAUGHTER HOUSES.

**469. Slaughter Houses in City Limits Prohibited.] § 1.**

That whoever shall within the limits of this city establish or maintain any slaughter or packing house, or carry on the business of slaughtering or butchering cattle, sheep, swine or other stock, shall be guilty of creating a nuisance; and any person or persons causing or continuing any such nuisance shall be subject to a fine of not less than ten dollars nor more than one hundred dollars for each offense, and to a further fine of ten dollars for each day, after the first conviction, that any such nuisance shall remain.

**470. Health Committee to Examine.] § 2.** It shall be the duty of the Health Committee in the months of May, July and September, and at such other times as they may deem proper in each year, to visit all slaughter or packing houses and places where the slaughtering or butchering of animals is carried on within a distance of five miles of the limits of this city, which supply meat of any kind to the butcher shops or meat markets of this city, or wherein the meat offered for sale in the markets of this city is prepared, stored, dressed or kept, and thoroughly inspect the same, and all the immediate premises surrounding the same, and if the said slaughter or packing houses, or such premises where said meat is prepared, dressed, killed or kept is not in a clean, wholesome and thoroughly sanitary condition, then said committee shall at once notify all such butcher shops, markets or other places in said city where said meat is kept on sale of the fact that such slaughter or packing house is in an unsanitary condition.

**471. Sale of Meat Prohibited From Condemned Slaughter Houses.] § 3.** That upon the service of such notice upon the owner or his clerk or agent in charge of any butcher shop, meat market, or other place where meat from said slaughter or packing house is kept on sale in this city, it shall be unlawful for said owner or his clerk or agent to continue to sell or expose for

sale, or receive any further supply of meat from the slaughter or packing house mentioned in said notice. Upon a violation of this section the offender shall be subject to a fine of not less than five dollars nor more than one hundred dollars for each offense.

**472. Penalty for Refusing to Permit Inspection.** J § 4. Whenever the owner of any such slaughter or packing house, within the limits hereinbefore mentioned, shall refuse to permit his said premises to be inspected by said committee, as herein provided, then said committee shall prohibit the sale of meat from said premises in this city by a notice to that effect to all persons handling or selling the same, and a violation of said notice shall subject the offender to a fine of not less than five dollars nor more one hundred dollars for each offense: *Provided*, if the owner of any such slaughter or packing house, or premises which have been condemned by said committee as unsanitary shall clean up the same and place them in a wholesome sanitary condition, the said committee shall revisit and reinspect said premises, and if the same are found in a sanitary condition then said committee shall, by notice to all parties handling the meat therefrom, withdraw the prohibition of handling said meat in said city.

## CHAPTER XLVI.

**473. Obstructing any Street, Alley or Public Ground.]**

§ 1. That no person shall obstruct any street, alley, or public grounds, by placing therein or thereon any building materials, or any article or things whatever, without first having obtained written permission from the Street Commissioner of the city, under a penalty of five dollars for each day or part of day such encumbrance or obstruction shall continue.

**474. Removal of Articles from Streets, Alleys and Side-walks.]** § 2. The Street Commissioner is hereby vested, under the supervision of the Committee on Streets and Alleys, with the general charge of the streets and public grounds of the city, and it is made his duty, and also that of the Mayor and City Marshal, to order the immediate removal of any article or thing whatsoever that may encumber any street, alley or sidewalk, or other public grounds, and if such article or thing shall not be removed within an hour after notice to the owner thereof to remove the same, or if the owner cannot be found for the purpose of such notice, to cause the same to be removed to some suitable place to be designated by the Mayor; and the owner of any article so removed shall forfeit a penalty of not less than five dollars nor more than fifty dollars, in addition to the cost of such removal.

**475. Permission to Obstruct with Building Materials.]**

§ 3. The Street Commissioner shall not grant permission to place or keep any building materials in any part of the streets or alleys of the city for a longer period than two months, and such permission shall not authorize the obstruction of more than one-half of the carriage-way and one-half of the sidewalk, except in cases of urgent necessity and for shorter periods, and such permission shall be deemed void as to any person who shall extend the obstruction beyond the limits described therein: *Provided*, the gutter shall always be left free and unobstructed, and that such person so placing such material shall at night keep a red light on such material.

**476. Wagons, etc., not Allowed to Remain on Streets or Alleys without Horses Attached.]** § 4. No wagon, sled, sleigh, carriage or vehicle of any kind or description, or any part of the same, without horses or other beasts of burden attached thereto, shall be permitted to remain or stand in any street or alley of the city for more than two hours, except for the purpose of being repaired, and then only in front of the premises so repairing, under a penalty of five dollars; and any such wagon, sled, sleigh, carriage or vehicle, or any part of the same, may be removed by the City Marshal, as provided in the second section of this ordinance.

**477. Removal of Buildings Without Permission.]** § 5. No person shall remove, or cause to be removed, or aid or assist in removing, any building into, along or across any street, alley or public ground in the city, without first obtaining written permission from the Mayor, and conforming to such restrictions and conditions as he may prescribe, under a penalty of twenty-five dollars, to be recovered from the owner of the building, or any person aiding in its removal, and a like penalty for every twenty-four hours the same shall remain in or upon any street, alley or public ground.

**478. Permission Granted by Mayor.]** § 6. Every permission granted by the Mayor, or contemplated in the preceding section, shall specify the time to be occupied in such removal, which time in no case shall be longer than is absolutely required therefor, but such time may be extended for good and sufficient cause.

**479. Penalty for Removing Without Permission.]** § 7. The owner of any building, or the contractor for its removal, either or both, who shall suffer the same to remain in any of the streets or alleys, or upon any of the public grounds of the city, for any time longer than that specified in the permission of the Mayor, shall forfeit a penalty of ten dollars, and a like penalty for every twenty-four hours the same shall be continued.

**480. Erection of any Building on Streets, Alleys or Other Public Grounds.]** § 8. No person shall erect or place any building, in whole or in part, upon any street, alley, sidewalk,

or other public ground within the city, under a penalty of not less than fifty dollars nor more than two hundred dollars, and shall be liable for all costs that may be incurred in removing the same.

**481. Removal of Obstruction Placed upon Streets, Alleys, Etc.]** § 9. The owner of any building, fence or other obstruction now standing, or which may hereafter be erected or placed upon any street, alley, sidewalk or other public ground within the city, shall remove the same within thirty days after he shall be required so to do by a notice in writing, signed by the Mayor, under a penalty of twenty-five dollars, and one hundred dollars additional for every thirty days the same shall remain.

**482. Neglect or Refusal to Remove Obstructions of Streets, Alleys, Etc.]** § 10. Whenever the owner of any building, fence or other obstruction upon any street, alley, sidewalk or public ground in this city, shall refuse or neglect to remove the same after notice, as provided in the preceding section, the same shall be deemed a nuisance, and it shall be lawful for the Mayor to cause the same to be removed, or taken down, in his discretion, and the expense thereof shall be recovered of the owner, in an action of assumpsit, and every person who shall oppose or shall resist the execution of the orders of the Mayor in the premises shall forfeit a penalty of fifty dollars.

**483. Obstruction of Streets by Teams.]** § 11. Whenever, from any cause, any street or alley of the city or the entrance to or driveway in front of any store or private property shall be obstructed by a press of teams attached to vehicles, loaded or otherwise, the Mayor, or any Alderman, City Marshal, Policeman or Street Commissioner, may give such directions in regard to the removal of such teams and vehicles as in the opinion of such officer may be required by the public convenience, and any person or persons refusing or neglecting to obey such directions shall forfeit and pay a sum of not less than five dollars nor exceeding fifty dollars, and may be arrested forthwith to answer for such refusal or neglect.

**484. Throwing or Depositing of Dirt, Filth, Etc.]** § 12. No person shall throw or deposit any straw, dirt, filth, chips,

shells or other rubbish in any street, alley or public place in the city, under a penalty of five dollars for each offense, and the like penalty for every hour the same shall be suffered to remain, after notice to remove the same, to be given by the Mayor, City Marshal, Street Commissioner, or an Alderman of the ward.

**485. Removal of Earth from Streets, Alleys or Public Grounds.]** § 13. It shall be unlawful for any person or persons to dig, plow, ditch, or otherwise disturb the surface, or remove any earth from any street, alley or public ground within the city, for private use, or for any other purpose, except under the direction of the Street Commissioner in the discharge of his duty, without first having obtained a written permission of the Street Commissioner, which permission shall distinctly state the amount of earth that may be so appropriated, and the place from which it is to be taken. Any person or persons violating this section shall be subject to a penalty of not less than five dollars nor more than twenty dollars for each offense, and it is made the duty of the Street Commissioner and City Marshal to cause every person so offending to be brought before the Police Magistrate of the city to answer for the same.

**486. Grading or Repairing of any Street or Alley.]** § 14. When it shall be necessary, in grading or repairing any street or alley within the city, to remove the earth from any street or alley for that purpose, and it can be done without injury to the property adjoining, the Street Commissioner, under the direction of the Committee on Streets and Alleys, is hereby authorized to cause such earth to be removed to such place as he may deem for the interest for the city.

**487. Obstructing Street Commissioner in Discharge of Duty.]** § 15. Any person or persons who shall obstruct or aid and abet any person or persons in obstructing the Street Commissioner in the discharge of his duty, as is prescribed in the foregoing section, shall forfeit and pay to the city not less than five dollars nor more than twenty dollars for each offense.

**488. Reserve Space for Sidewalks.]** § 16. There shall be reserved a space of twelve feet from the street line of every lot in the city for sidewalk purposes, which shall be kept

free from all obstructions: *Provided*, it shall be lawful for the owner of any real estate to plant shade or ornamental trees, awning posts and hitching posts, on a line ten feet from the street line of the same.

**489. Horse or Horses left on Streets, Attached to Wagons, etc.]** § 17. No person shall suffer any horse or horses, mule or mules, attached to any wagon, buggy, carriage, or other vehicle or otherwise, to stand within any street or alley within the city, without first being detached from the vehicle and securely hitched or fastened, nor shall any person fasten any horse or horses, mule or mules, in such a way that the team, vehicle, reins or lines shall be an obstacle to the free use of the sidewalk, under a penalty of not less than five dollars nor more than fifty dollars for each offense, and the person in whose possession such horse or horses, mule or mules shall then be, shall be deemed the offender, unless he can prove to the contrary to the satisfaction of the magistrate before whom prosecuted.

**490. Digging Down any Street, Building, Sewer, etc.]** § 18. It shall be the duty of every person or persons, or corporation, engaged in digging down any street, paving any street, building any sewer, drain or trench, in any public street or alley where such work, if left exposed, would be dangerous to passengers, to erect a fence or railing at such excavation or work in such a manner as to prevent danger to passengers who may be traveling such streets or alleys, and to continue and uphold said railing or fence until the work shall be completed; and it shall also be the duty of such person or persons, or corporation, to place upon said railing or fence at twilight in the evening suitable and sufficient lights, and keep them burning through the night during the performance of said work, under the penalty of not less than five dollars nor more than two hundred dollars.

**491. Duties of Officers in Cases of Obstruction.]** § 19. It shall be the duty of the Mayor, City Marshal or Street Commissioner to cause any obstruction erected, placed or continued, contrary to the provisions of this ordinance, to be removed within a reasonable time after notice to that effect by either of the officers aforesaid has been served upon the party or parties erecting, placing or continuing such obstruction; and the owner,

agent, or party causing such obstruction or violation shall pay all expenses and costs of such removal, in addition to the penalties aforesaid.

**492. Who Liable for Street Labor.]** § 20. Every male inhabitant of the City of Centralia, over the age of twenty-one years and under fifty, (except such as are exempt by law) is hereby required to labor two days in each year upon the streets and alleys of the city at such time and place and in such manner as the Street Commissioner shall direct. But it shall be optional with all persons liable for street labor to perform two days labor on the streets or pay in lieu thereof the sum of one dollar and fifty cents: *Provided*, that such payment shall be made on or before the first of said two days, on which he shall be notified by the Street Commissioner to labor, and in default of paying or performing such two days' labor, as aforesaid, he shall be liable to a fine of five dollars and costs, to be collected in the manner hereinafter provided.

**493. Notice to Labor.]** § 21. The Street Commissioner shall deliver or leave at the residence or ordinary place of business of every person so liable for street labor, a written or printed notice, which may be in the following form, to-wit:

"Mr...., you are hereby notified and requested to appear at.... at 7 o'clock A. M. on the .... day of .... 18.., with.... (here insert tool) for the purpose of laboring on the streets and alleys of the city, as you will then and there be directed by me. In case you fail to so appear and labor, you are hereby required, on or before the first day above mentioned, to call upon the City Treasurer of the city and pay him the sum of one dollar and fifty cents."

And the Street Commissioner shall report in each month the names of all persons so notified during the preceding month.

**494. Shall Receipt for Labor.]** § 22. The Street Commissioner shall issue his receipts to all persons who shall faithfully labor on the streets and alleys under his directions, two days; but no Street Commissioner shall receive any money or other property himself, in commutation for labor, but shall direct all persons liable to pay the same to the City Treasurer.

**495. Preparing Lists of Delinquents and Publishing Same.]** § 23. It shall be the duty of the Street Commissioner, as soon as practicable, to prepare two lists of all delinquent persons notified to appear and labor on the streets, who have failed to comply therewith, or commute the same in cash with the City Treasurer; one of which lists he shall deliver to the City Treasurer, who shall thereafter require the payment of one dollar and fifty cents from each delinquent, and the other list the Street Commissioner shall publish by posting on the front of the City Hall, for a period of one week, with the following notice as a heading thereto:

STREET TAX—NOTICE TO DELINQUENTS.

“Notice is hereby given that suit will be commenced against the persons hereinafter named for the penalty of five dollars and cost of suit, unless they shall pay to the City Treasurer of this city the sum of one dollar and fifty cents, in lieu of two day’s labor on the streets of this city, on or before the ..... day of..... 18..”

Which notice shall be signed by the Street Commissioner, and whoever, liable for such street tax, shall neglect or refuse to pay to the said Treasurer the said sum of one dollar and fifty cents, within the time mentioned in said notice, shall be liable to a fine of five dollars.

**496. Suit to Collect Fine.]** § 24. It shall be the duty of the Street Commissioner, or City Marshal, within thirty days after the expiration of the date mentioned in such notice, to file complaint in writing before the Police Magistrate or a Justice of the Peace in said city, against each and every person who has neglected to pay his said street tax pursuant to such notice, which complaint shall be sworn to, and thereupon the Magistrate or Justice shall issue a warrant, and said cause shall proceed as all other cases for the recovery of a fine under the ordinances of this city.

## CHAPTER XLVII.

## STREET RAILWAYS.

**497. Passengers Ejected for Refusal to Pay Fare.] § 1.**

That it shall be unlawful for any person to ride or attempt to ride upon any street car within this city, without having paid the requisite fare for his passage thereon, and whoever shall ride or attempt to ride upon any such street car within the limits of this city without paying his regular fare therefor shall be subject to be ejected therefrom by the conductor, driver or other officers of such street car company, using such reasonable force as is necessary therefor; and whoever so riding or attempting to ride, without paying his regular fare, shall refuse or neglect to leave said car when requested, so that physical force is necessary to eject him therefrom, shall be subject to a penalty of not less than five dollars nor more than two hundred dollars.

**498. Persons Stealing Rides, etc.] § 2.** That whoever shall, for the purpose of riding upon any street car in said city without paying his regular fare, jump on or off of said car while in motion, and whoever shall become boisterous, disorderly, or use loud, vulgar or profane language, or be in a state of intoxication upon any street car in this city, shall be subject to ejection therefrom, and shall be fined in any sum not less than five dollars nor more than two hundred dollars.

**499. Injuring Property of Street Railway.] § 3.** Whoever shall cut, mar, injure or destroy any street car, or interfere with the switches or tracks of any street railway, or shall hinder or delay the operation of any cars thereon, or molest any street car driver or conductor in the discharge of his duty, shall be subject to a fine of not less than five dollars nor more than two hundred dollars.

## CHAPTER XLVIII.

## WATER WORKS, RULES AND RATES.

**500. Water Works Department.]** § 1. That there is hereby established a department of the municipal government of the City of Centralia, to be known as the Water Works Department, which shall be under the control and management of a committee composed of the Mayor and three Aldermen, no two of whom shall be from the same ward, to be appointed as other committees of the City Council, which committee shall take cognizance of all matters pertaining to the water works of said city.

**501. Water Committee to Fleet.]** § 2. Said Water Committee shall meet regularly at the city hall on the first Monday evening in each month, and it shall be the duty of the Superintendent of Water Works and the City Clerk to attend such meetings. The City Clerk shall keep a full and complete record of the proceedings of such meetings in a book to be styled "Journal of Water Department," and do and perform such other acts as the said committee shall require, and report the proceedings to the City Council, at the next ensuing meeting thereof. Special meetings of the committee may be held as often as is necessary, at the call of any two members thereof, and it shall be the duty of the Marshal to serve the notice of said call on the other members.

**502. Duties of Committee.]** § 3. Said committee shall report to the City Council, from time to time, the condition of the water works system of said city, and make such recommendations as they deem advisable for the improvement and betterment of the same. They shall see that all contracts with the city relative to their department are faithfully executed, and that none of the property belonging to the Water Department is permitted to waste or be destroyed. They shall have no power to incur indebtedness upon the city, without the express order of the City Council first had therefor: *Provided, however,* in cases of emergency the committee may incur such expense as is

necessary to preserve the property of the city under their control, submitting their acts to the City Council for its approval at the next regular meeting thereof.

**503. Superintendent to be Collector of Rates.]** § 4. The Superintendent of Water Works shall be ex-officio collector of water rates, and shall keep a full set of books in such manner as the Water Committee shall prescribe, showing all moneys received from water consumers or other sources connected with the operation of the system, the names of all customers, the premises where the water is used, the number and location of taps, faucets, hydrants, etc., dates of commencement, etc., and all other matters and things relative thereto.

**504. Superintendent to Pay Treasurer.]** § 5. The Superintendent shall, on the last day of each and every month, pay over to the City Treasurer all moneys collected by him by virtue of his office, and shall file with the City Clerk the Treasurer's duplicate receipt therefor, together with a full report of all his official transactions for the preceding month, the names of all new consumers, and a list of delinquent consumers of the city water, which report shall be read at the next meeting of the City Council.

**505. Prepare Map.]** § 6. The Water Committee shall prepare a full and complete map of the system, showing the location of all distributing mains, taps, stop cocks, hydrants, gates, valves, shut offs and plugs and taps of private consumers, and, from time to time, as said system is extended or increased, note said addition thereon.

**506. Superintendent to Tap Mains.]** § 7. All mains and distributing pipes of the system of water works shall be tapped by the Superintendent, or under his immediate direction and supervision, and to that end he shall have charge and control of the city tapping machinery, and shall lay the service pipes to the lot line of the consumer, and erect a stop and wast cock near the sidewalk, between the lot line and main; all work to be done and material used to be in the manner and of the kinds prescribed in the chapter or these ordinances regulating plumbers and plumbing.

**507. Fixing Rates for Tapping.]** § 8. The Water Committee shall, annually, on the first day of June, or as soon thereafter as practicable, ascertain the probable cost for labor and materials of tapping mains, laying service pipe to the lot line and erecting suitable stop cocks, and report the same to the City Council, which body shall thereupon fix and establish the rate for tapping the mains, laying service pipe and erecting stop cocks for the ensuing year, which shall be the price charged: *Provided*, where the service pipe is carried a greater distance than the front line of lots abutting upon the streets in which the mains are laid, extra charge shall be made for the same, to cover the additional costs thereof.

**508. Application for Tapping.]** § 9. All parties desiring to have city mains tapped and use water upon their premises, shall file a written application with the Superintendent, upon a blank to be furnished by him, setting forth fully and truthfully all purposes for which water is to be used, and if a dwelling house the number of rooms therein; and when making payments for the semi-annual charges for city water, parties must frankly and without concealment answer all questions put to them relative to their use of city water. Parties desiring water for building, or other temporary uses, shall make application to the Superintendent in writing, and at the time of application, such party shall pay to the Superintendent the price fixed by the City Council for tapping the main and laying the service pipe.

**509. Applications Taken up in Order Filed.]** § 10. The Superintendent shall date all applications in the order they are filed with him, and shall tap the main, lay the service pipe, and erect the stop cock for all applicants who have complied with this ordinance and paid the fee for tapping, in the order of time their applications are filed; and he shall endorse on the back of each application the time and manner of making the tap, together with the return of the permit granted applicant for plumbing, and present the same to the Water Committee at their next meeting, and shall also enter in his record the date of the application, the contents thereof, and the time and manner of the filing the same, and the date when the city water is turned on.

**510. Shall Shut Off Water.]** § 11. It shall be the duty of the Superintendent to shut off the water from any premises, when ordered so to do by the City Council or Committee, or when the consumer has violated the rules or ordinances relative to the use of city water; and such consumer, whose water has thus been shut off, shall pay a fee of one dollar, in addition to the regular charge for water rental, before the Superintendent shall again turn the water on his premises; and no property owner, or other person except said Superintendent, shall turn the water on such premises when it is thus shut off by the Superintendent.

**511. Committee shall Recommend the Employment of Help.]** § 12. The Committee shall, from time to time, recommend to the City Council the hiring of such engineers and other employes, as in their judgment is necessary for the efficient working of the system, and the City Council shall determine the number of such employes and the salary to be paid the same, and shall contract for all skilled employes who will hold permanent positions, but may authorize the Superintendent, or the Committee, to employ laborers or temporary employes, in such numbers and at such wages as the City Council shall fix and determine.

**512. Rules Governing Use of City Water.]** § 13. That the following rules and restrictions for the government of the system of Water Works and the consumers of city water in this city are hereby adopted and established:

**FIRST—NOT TO SUPPLY OTHER PARTIES.**—No owner or occupant of any building where water is introduced will be allowed to supply other persons or families with water, and if found so doing the supply will be stopped and the water rates paid will be forfeited.

**SECOND—OWNER RESPONSIBLE FOR RATES.**—In all cases where more than one family or consumer other than the said family are supplied from a pipe or pipes governed by one stop, the owner or lessee of the building or the party introducing the water must become responsible for the payment of all bills and the keeping in repair of all hydrants, stop cocks, etc., otherwise the water shall be shut off from said building until such responsibility is assumed.

THIRD—ACCESS TO PREMISES FOR INSPECTION.—All officers and employes of the Committee on Water and all persons delegated by them for that purpose shall have free access at proper hours of the day to all parts of the building or premises where water is used, to make the necessary examination of the pipes, etc.

FOURTH—SUPPLY PIPES AND FIXTURES TO BE KEPT IN REPAIR BY OWNER.—Hydrants, plugs, stop boxes, service pipes, stop cocks, and all attachments and fixtures connected therewith shall be kept in good repair and condition by the owner or occupant of the premises upon which they are situated at their own expense, and it is expressly provided that no claim shall be made or allowed against the city or any of its officers or employes on account of the breaking of said water apparatus or on account of the stoppage of the supply of water, by reason of accident to the pumping machinery or mains, or for the necessary alterations or repairs of the same, or other cause not under the city's control.

FIFTH—ALTERATION OR ADDITIONS TO PIPES.—No addition to, or alteration whatever of, any tap, pipe, water cock, or other fixture shall be made, or caused to be made by any person taking water, except through a duly licensed plumber, and a permit first obtained from the City Clerk, as provided in section five.

SIXTH—LOCATION OF HYDRANTS. REGULATIONS.—Private hydrants shall not be located so as to be exposed to use by non-paying customers, and no hydrant shall be located on the sidewalk or front area, nor shall they be allowed to run when not in actual use by the owner or occupant. Taps at wash basins, water closets, baths and urinals must be kept closed when not in actual use.

SEVENTH—PUBLIC HYDRANTS, INTERFERENCE WITH.—No person, other than members of the Fire Department or those specially authorized by the Water Committee or Superintendent, shall open any hydrant or turn any public stop cock or draw any water from the same, or from any public fountain to carry away therefrom; nor shall any member of the Fire Department suffer or permit any wrench to a public hydrant to be taken from the hose house or other proper place of custody, except as they accompany hose carts on occasions of fires, or for other purposes connected with the Fire Department.

**EIGHTH—OBSTRUCTION OF HYDRANTS PROHIBITED.**—No person shall in any manner obstruct the access to any stop cock connected with any water pipe, within any street, alley or public place in said city, by means of any lumber, brick, building material, or other article, thing or hindrance whatever.

**NINTH—SPRINKLING, HOURS AND MANNER, REGULATION.**—Consumers shall be permitted to use city water for sprinkling streets, sidewalks, lawns and gardens between the hours of 5 to 8 A. M. and 5 to 9 P. M., and none other. Each consumer shall confine himself to the front of his premises, and one-half of the width of the street in front thereof, unless special contract is made for the use of more water. Hose larger than three-fourths of an inch with one-fourth inch nozzle will not be permitted for sprinkling except by a special contract; sprinkling without a nozzle, or in such an excessive extent as to waste the water or form pools or puddles in the street or converting street sprinklers into jets, or their use for any other purpose than sprinkling streets, sidewalks, lawns and gardens, is strictly prohibited; nor shall water be drawn from such taps, sprinklers or hydrants for family use, washing carriages or watering stock. Sprinkling is prohibited except between April 1 and November 1.

**TENTH—USE OF WATER DURING FIRES.**—It shall be unlawful for any person to sprinkle or eject or permit to run, any water from public or private hydrant, washer or sprinkler, within said city, while any building is on fire, except for the purpose of extinguishing said fire; and upon the sound of a fire alarm all persons shall shut off such use of the city water.

**ELEVENTH—UPRIGHT HYDRANTS.**—That wherever city water is introduced into a dwelling house or other building for any purpose whatever, and wherever city water is introduced into a yard to be drawn from an upright hydrant protruding above the ground, the party introducing the water into said dwelling, building or yard, if there is a dwelling situated on said premises, shall be required to pay in addition to the rate for the purpose for which said water was introduced, the regulation rate for a dwelling or building of the same number of rooms as that into which said water was introduced, or as that situated upon the premises having such upright hydrant located thereon: *Provided*,

however, that such consumer, having paid said rate, shall have all the rights and privileges of using said water in said dwelling or other building, as though he had introduced the water for that purpose.

**TWELFTH—PENALTIES.**—Any person, persons or corporation who shall violate any of the rules, restrictions or regulations of the preceding sections shall have their supply of water cut off from their premises, and if the Superintendent deems it advisable, the tap removed from the main connecting it therewith, and all money paid as water rates shall be forfeited; and in addition thereto the offender shall be subject to a fine of not less than three dollars nor more than one hundred dollars.

**513. Rates.]** § 14. That the following rates shall be the amount established and charged for water furnished by the city to consumers, per annum, to-wit:

Bakeries, average daily use for each barrel of flour,	\$ 1 50
Barber shops, first chair,	5 00
Barber shops, each additional chair,	1 00
Bathing tubs, private,	1 50
Bathing tubs, in public bath rooms, first tub,	7 50
Bath rooms, each additional tub,	5 00
Bathing tubs, in hotels or boarding houses, for guests only,	2 00
Billiard or pool room, each table,	2 00
Blacksmith shop, first forge,	3 00
Blacksmith shop, each additional forge,	1 50
Building purposes, per 1,000 brick,	05
Building purposes, per 100 yards plastering,	25
Butcher shops,	5 00
Dental offices,	5 00
Drug stores,	5 00
Dwelling houses of five rooms or less,	3 00
Dwelling houses, each additional room,	25
Churches,	3 50
Cigar factories,	\$5 00 to 8 00
Fountains, jet one-eighth inch, 6 hours per day, 6 months in year,	5 00
Green houses, public, including plants in yard,	\$7 00 to 10 00

Hotels, for each room thereof,	\$ 50
Ice cream saloons, soda fountains included,	5 00
Lawns, gardens and street sprinkling to center, 80 foot lot,	3 00
Corner lots, extra	1 00
Lawns, gardens and street sprinkling, lots over 80 foot front, each additional foot, 4c extra.	
Laundries, steam,	15 00
Laundries, where more than one rotary washer is used, extra,	5 00
Office, physicians,	3 00
Offices, attorneys, justices, etc.,	2 00
Printing offices, no power,	5 00
Photograph galleries,	5 00
Restaurants,	7 50
Stables, livery, for each stall used and carriage washing,	1 50
Stables, private, one horse or cow and carriage washing,	1 50
Stables, for each additional horse or cow,	1 00
Saloons,	10 00
Store rooms, 25 feet front or less, window and pavement washing,	5 00
Store rooms, each additional front foot,	25
Theaters, lodges and halls,	8 00
Urinals—hotels, restaurants and saloons,	4 00
Urinals—banks, boarding houses and stores,	2 00
Water closets open to public, per seat,	5 00
Same, private, per seat,	2 00

For distilleries, breweries, machine shops, foundries, gas works, coal mines, flouring mills, soap and starch factories, soda factories, locomotive or stationary engines, water motors, public sprinkling, ice plants, and all other purposes not herein specified, the rates shall be fixed by the Mayor and Water Committee, or by meter rates, as may be equitable to city and consumer.

Meter rates for first 1,000 gallons per day, 10c per M.

Meter rates, for each additional 1,000 gallons, 7c per M.

Private consumers shall have the option of meter rates, provided no meter shall be maintained unless the rental amounts to \$3 per annum.

**514. Meter Rates.]** § 15. That all parties who desire to purchase water by meter rates shall purchase and place at their

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own expense a suitable meter, of the kind and in the manner the Superintendent of Water Works shall direct, the same to be maintained after it is placed by the city.

**515. Time of Payment Water Rates.]** § 16. That all water rates upon which the price is fixed by the foregoing schedule, shall be payable semi-annually in advance on the first days of April and November, or where a main is tapped for a new consumer, his water rental shall be reckoned from the date of said tapping until the next date for the semi-annual payment, and paid for that time. Water sold by meter or special contract shall be paid for at such times as the Mayor and the Water Committee shall provide, but at least once in six months settlement shall be had, and the consumer shall pay the amount of the water rent so ascertained to be due.

**516. City May Shut off Supply.]** § 17. The city hereby reserves the right, at any time, when in its judgment the supply of water is likely to become exhausted, to shut off the supply from all private consumers, except the Illinois Central Railroad Company, provided that no rental shall be estimated or charged against said consumers while said water supply is so shut off; and provided further that all parties contracting with the city for water shall take it subject to the foregoing provisions, and no right of action, or claim for damage shall accrue or grow out of the exercise by said city of such option, and the shutting off of the supply of water thereunder.

**517. City Does Not Guarantee Water.]** § 18. The city does not guarantee the quality nor quantity of water, and reserves the right to place a meter upon the tap of any consumer when it sees fit so to do; also the right to use any service cocks, or valves, or private taps, or hydrants, when necessary so to do.

**518. Special Tax.]** § 19. All water rates, benefits and rents, are hereby declared to be a special tax upon the lots, parts of lots, blocks and tracts of land upon which the water is consumed, and from and after the same become due and payable, are hereby declared to be a lien upon such lot, part of lot, block or tract of land; said lien to be enforced in such manner as the City Council may by ordinance provide.



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SPECIAL ORDINANCES  
—OF THE—  
CITY OF CENTRALIA.

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## SPECIAL ORDINANCES.

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### CHAPTER XLIX.

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#### CENTRALIA & CENTRAL CITY STREET RY. FRANCHISE.

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##### ORDINANCE No. 63.

AN ORDINANCE AUTHORIZING THE CENTRALIA AND CENTRAL CITY RAILWAY COMPANY, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, MAINTAIN AND OPERATE A STREET RAILWAY WITHIN THE CORPORATION OF THE CITY OF CENTRALIA, ILL., AND GRANTING TO SAID COMPANY THE RIGHT, PRIVILEGE, AUTHORITY, TO LAY DOWN TRACKS AND ERECT AND MAINTAIN THE NECESSARY APPURTENANCES FOR THE SUCCESSFUL OPERATION OF SAID STREET RAILWAY UPON AND ALONG CERTAIN STREETS, AVENUES AND ALLEYS IN SAID CITY.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**519.]** § 1. That S. N. Pierce, G. P. Duncan, T. F. Meagher and such other persons as may hereafter become associated with them, to be known as the Centralia and Central City Railway Co., and their executors, administrators and assigns, be and the same are hereby granted the exclusive right, privilege and authority, subject to the restrictions and provisions hereinafter set forth, to

construct, maintain and operate a street railway upon and along the following named streets, avenues and alleys in said city, to-wit: Broadway street and its extension, Locust street and its extension, Washington avenue and its extension, Poplar street and its extension, Elm street and its extension, Washington street and its extension, Vine street to Monroe street, and Monroe street to the Centralia Cemetery.

**520.]** § 2. That all rights, privileges and authority granted by virtue of this ordinance shall be in force and continue for a period of twenty years from and after the date of the publication of this ordinance when duly passed.

**521.]** § 3. That said company shall commence the construction of said street railway within six months of the date when this ordinance shall take effect; and if at the expiration of two years from said date there be any street or avenue or part thereof herein named upon which said company shall have failed to construct its said street railway in such a manner as to be capable of operation, then all of said rights, privileges and authority herein granted shall cease and be forfeited as to said street or avenue, or that part or portion of said street or avenue upon which it has so failed to construct said street railway: *Provided, however,* that where said company has been delayed by an injunction of a court of competent jurisdiction from proceeding to construct its said railway upon any street, avenue, or part thereof, then as to the territory included in such injunction or order, the time occasioned by said delay shall not be counted as a part of said two years.

**522.]** § 4. The cars of said street railway shall be propelled by animal, electric power, or both, and nothing in this ordinance shall be construed to permit said company, its successors or assigns, or any other corporation, person or persons to propel cars on said street railway so to be constructed by steam power, and the same is hereby prohibited.

**523.]** § 5. The track of said company shall be of the standard gauge of street railway tracks, and may be constructed along said streets and avenues with single or double track, and

all necessary siding, side tracks and appurtenances in such manner as not unnecessarily to obstruct or interfere with the public use of the same.

**524.]** § 6. Said track or tracks shall be laid with the center in line upon the center line of the street or avenue over which it passes, and so constructed that the top of the rails shall be upon a level with the established grade of said street or avenue; and said company shall fill in to the level of the established grade between the rails of its said track and for two feet outside of both rails with cinders, sand, earth, gravel, or other suitable material, so that no part of the same shall protrude above the surface; and where said track shall be laid upon streets or avenues which are paved or macadamized then said company shall in a like manner pave or macadamize between said rails and for a distance of two feet on the outside of both rails along and upon said streets and avenues; and said company, its successors and assigns, shall keep and maintain that portion of the street or avenue between the rails of its track so to be constructed and for a distance of two feet on the outside of both rails in constant good repair, in the manner aforesaid, at its own expense, so that public travel may pass over and along the same easy and commodiously; and at all crossings of streets, avenues and alleys not paved or macadamized said company shall pave, macadamize or plank its said track so that teams and vehicles may readily cross and recross the same.

**525.]** § 7. The said company, in laying its tracks, shall, without delay, repair all streets, avenues or parts of the same interfered with by the construction of their street railway, in the manner as prescribed in the preceding section; and the City Council shall have the right to make improvements and repairs on all of said streets, avenues or alleys the same as though no rights and privileges had been granted to said company, and to make all necessary police regulations concerning the management and operation of said railway, all of which rights are hereby reserved.

**526.]** § 8. Said company, its successors and assigns, shall be permitted to charge each person riding on its cars, between

any points within the limits of said city, such sum for each passage as the company may determine, not to exceed ten cents for each trip.

**527.]** § 9. The said company shall have thirty days to accept the rights, privileges and authority hereby granted, which acceptance shall be in writing and entered in full on the records of the said Council.

**528.]** § 10. No car shall be allowed to stop on any cross walk or in front of any intercepting street, except to avoid collision or the injury of persons. All proper care shall be used by the servants of said corporation to avoid injury or damage to persons or property along and upon its right of way, and after sunset all cars shall be provided with suitable signal lights.

**529.]** § 11. The cars of said company, its successors and assigns, shall at all times be entitled to the tracks, and in all cases wherein any team, vehicle or person shall meet or be overtaken by a car on the track of said company, such team or person or vehicle shall give place to such car. Any person who shall interfere with and maliciously obstruct the track of said company, or, after being signaled by the driver or conductor of any car, by bell, whistle, or otherwise, shall neglect or refuse to give the right of way of said company's track to any of their cars, then the person so obstructing said track or the driver of such vehicle so neglecting or refusing to give the right of way shall be subject to a fine of not less than five dollars and not more than one hundred dollars: *Provided*, this section shall not interfere with the laying of hose or other fire apparatus.

**530.]** § 12. That said S. N. Pierce, G. P. Duncan, T. F. Meagher, and such other persons as may hereafter become associated with them, to be known as the Centralia and Central City Railway Company, are further granted the right, privilege and authority to erect the necessary poles and posts and hang thereon the necessary wires along and upon or lay the same beneath the surface of the streets and avenues herein named, and erect and maintain the necessary plant and machinery in said city for the purpose of furnishing electric power for the operation of its street railway: *Provided*, said poles or posts or said

underground wires shall be erected and placed under the supervision and approval of the Committee on Streets and Alleys, that all parts of streets or avenues interfered with in the erecting of said poles or posts or the laying of the said wires shall, without delay, be replaced in as good condition as it was before interfered with, and said poles and posts and wires shall be so erected and placed as not to interfere with any electric light or power posts or telephone or telegraph poles previously erected, or gas or water pipes then laid.

**531.]** § 13. The rights and privileges and authority herein granted are upon the express condition that said company, its successors and assigns, shall pay compensation for all private property taken or damaged in the construction of its system of street car tracks and appurtenances, or which may accrue by the operation of the same, and by the acceptance of the said rights, privileges and authority it agrees to do the same.

**532.]** § 14. The said company, for itself, its successors and assigns, by its acceptance of the rights, privileges and authorities herein granted; covenants and agrees to forever indemnify and save harmless the said City of Centralia against and from any and all damages, judgments, decrees, costs and expenses, including attorney's fees, of the same which it may suffer or which may be recovered or obtained against said city for or by reason of the granting of such privilege and authority, or for or by reason of or growing out or resulting from the passage of this ordinance, or any matter or thing connected therewith, or with the exercise by said company, its successors or assigns, of the privilege and authority hereby granted, and the said right, privileges and authority are hereby granted upon the express condition, and upon neglect or failure of said company, its successors or assigns, to comply with the provision of this section, then this ordinance shall cease to operate and be void, and all right, privilege and authority hereby granted shall be forfeited.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City [SEAL.] of Centralia, Illinois, this 3rd day of December, A. D. 1890.

HENRY L. RHODES, MAYOR.

Attest: W. F. BUNDY, CITY CLERK.

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CENTRALIA & CENTRAL CITY STREET RAILWAY  
ADDITIONAL FRANCHISE.

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ORDINANCE No. 68.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**533.]** § 1. That the Centralia and Central City Railway Company be and the same is hereby granted the exclusive right, privilege and authority to construct, maintain and operate a street railway along and upon Miller or Fair Ground Avenue, the same being an extension of Broadway of said city, subject to all of the provisions, restrictions, penalties, forfeitures, rules and regulations as well concerning the construction of as the maintaining and operating the same as are mentioned and set forth in ordinance of said city numbered sixty-three (63), entitled "An ordinance authorizing the Centralia and Central City Railway Company, its successors and assigns to construct, maintain and operate a street railway within the corporation of the city of Centralia, Ill., and granting to said company the right, privilege and authority to lay down tracks and erect and maintain the necessary appurtenance for the successful operation of said street railway upon and along certain streets, avenues and alleys in said city," and dated the 3rd day of December, A. D., 1890: *Provided*, that it shall not be lawful for said company, its successor or assigns to construct, operate and maintain more than one track upon or along any one side or driveway of said avenue and that said track or tracks shall be constructed and maintained so that the inside line of the ties of said track or tracks shall not be or approach nearer than two feet of the inside row or rows of shade trees of said avenue; provided that no slack or obnoxious material shall ever be used for filling or grading said track or tracks. And be it

further provided that this ordinance shall be null and void and of no effect unless accepted by the said company within two days after its passage, which acceptance shall be in writing and entered in full on the records.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City [SEAL.] of Centralia, Illinois, this 2nd day of July, A. D. 1891.

HENRY L. RHODES, MAYOR.

Attest: FRANK F. NOLEMAN, CITY CLERK.

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CENTRALIA & CHESTER RAILROAD Co. FRANCHISE.

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ORDINANCE NO. 89.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

534.] § 1. That the right of way of the width of twenty-five feet be granted to the Centralia & Chester Railroad Company, its successors and assigns, on which to lay not exceeding two tracks and operate a railroad across and upon streets in the Railroad Addition and the original town of Centralia as laid out by the Illinois Central Railroad Company, as follows: Across Hickory street between blocks 86 and 85; across Seventh South street between blocks 85 and 74; across Walnut street between blocks 74 and 75; across Sixth South street between blocks 75 and 69, and across and upon Chestnut street between Sixth South street and Fifth South street, to an intersection with the tracks of the Jacksonville Southeastern Railway and the Illinois Central Railroad.

535.] § 2. The permission and authority granted by this ordinance is upon the express conditions that the said Centralia and Chester Railroad Company shall, before any track is laid

across or upon said streets, at its own expense, establish a grade for said streets under the supervision and to the satisfaction of the City Council of said city, or of the person or persons designated by said Council; shall lay its track in conformity to such grade so that the bottom of its rails shall be of even height with such grade; shall at all times, upon reasonable notice, construct, build and maintain gutters, culverts and sewers to the entire satisfaction of the City Council and its Committee on Streets and Alleys, upon or under that portion of said streets aforesaid and covered by said right of way, and shall plank, macadamize or pave, and keep planked, macadamized or paved all that portion of said streets to the satisfaction of said City Council and of the Street Commissioner, in such manner as to make it convenient to pass over its track or tracks and over the said streets with vehicles. The said Centralia and Chester Railroad Company, its successors or assigns, shall forever indemnify and save harmless the said City of Centralia against and from all suits, decrees, judgments, damages, costs and expenses, which it may suffer or which may be recovered or obtained against it for or by reason of the granting of this right of way, or by reason of the location or existence of the track or tracks of said Railroad Company in said city, or for or by reason of the passage of this ordinance, or for any reason resulting from or growing out of the passage of this ordinance. The privileges and rights granted by this ordinance is granted upon the further condition that said Railroad Company shall construct their said Railroad and have the same in operation by the first day of July, 1893.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City of  
[SEAL.] Centralia, Illinois, this 22d day of November, A. D. 1892.

JASPER N. KERR, MAYOR.

Attest: W. F. BUNDY, CITY CLERK.

## CENTRALIA LIGHT &amp; POWER CO. FRANCHISE.

## ORDINANCE No. 107.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**536.** § 1. That there is hereby granted to F. Kohl, George L. Pittenger and Seymour Andrews, commissioners duly authorized to open books for subscription to the capital stock of the Centralia Light and Power Company, for and on behalf of said corporation, now being organized, the right, privilege and authority to use and to occupy the streets, alleys and avenues in said city for the purpose of supplying and furnishing said city and the public in general with gas and electricity for power, heat and illumination, and such other purposes as it may be adapted, and for that end and to that purpose they and the said Centralia Light and Power Company shall have the right, privilege and authority to lay down, construct and maintain all the necessary pipes, mains, fixtures and appurtenances in and underneath the surface of and erect all the necessary poles, posts and stretch all the necessary wires and fixtures and appurtenances along and upon the said public streets, avenues and alleys in said city, together with the right and privilege to maintain any and all pipes, mains, poles, posts, fixtures and appurtenances now or hereafter belonging to said company therein or thereon situate for the purpose of conducting and supplying said gas and electricity for the full term of twenty years: *Provided, however,* said company, in the exercise of the privilege herein granted, shall not interfere with the pipes, mains, poles, posts, wires or fixtures of any other company or corporation in said city erected under or by virtue of the permission of the Council heretofore granted.

**537.]** § 2. Said company may establish and maintain on its own premises such works, appliances and fixtures as are needful to furnish, manufacture and supply said gas and electricity and from time to time improve and repair the same.

**538.]** § 3. Said company, in the establishment and maintenance of its said works, shall repair and place in as good condition as before interfered with all streets, avenues, alleys and public grounds immediately, as said work progresses, subject to the easements herein granted.

**539.]** § 4. In consideration of the privileges and authority herein granted, said company hereby agrees for and during the continuance of this franchise to furnish the city free of charge, and keep the same in good repair, twenty-five incandescent electric lights along the line of its main wires, to burn until twelve o'clock at night, moonlight schedule; furthermore, that it will at all times furnish the city gas or electricity for illumination, heat or power at ten per cent. below its regular rate, to private consumers.

**540.]** § 5. Said company shall furnish electric light to the city at a monthly rental of not more than seventy-five cents for twenty candle power lamp, and to private consumers at a monthly rental of not more than seventy-five cents for sixteen candle power lamp burning until twelve o'clock at night, or at the rate of one cent per hour for a portion of the time.

**541.]** § 6. The foregoing rights, privileges and authority are hereby granted for a full term of twenty years from the date of the passage of this ordinance: *Provided*, the same shall be accepted in writing within five days thereafter by one or more of said commissioners on behalf of said company.

**542.]** § 7. The foregoing rights, privileges and authority are granted to said company, its successors and assigns, upon the express condition that it and they shall forever keep and save harmless the said City of Centralia from any and all damages, decrees, judgments, costs and expenses of the same, including attorney fees, which it may suffer or which may be recovered or obtained against the said city for or by reason of the granting of such privileges and authority, or for or by reason of or growing out of or resulting from the passage of this ordinance or any matter or thing connected therewith, or with the exercise by said company of the rights herein granted, and upon neglect or failure

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so to do within a reasonable time, having been duly notified in writing, then this ordinance shall become null and void and all rights and privileges hereby granted shall cease and be forfeited.

**542.]** § 8. That all lamps, poles, posts and wires shall be erected subject to the approval of the Committee on Light in said City.

In witness whereof I have hereunto set my official hand and caused to be affixed the corporate seal of  
[SEAL.] the City of Centralia, Illinois, this 21st day of June,  
A. D. 1893.

JAS. BENSON, MAYOR.

Attest: H. VAN CLEVE, CITY CLERK.

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## CENTRALIA MINING & MANUFACTURING CO. FRANCHISE.

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### ORDINANCE NO. 36.

AN ORDINANCE TO PROVIDE FOR GRANTING TO THE CENTRALIA MINING AND MANUFACTURING COMPANY THE RIGHT OF WAY UNDER, AND THE RIGHT TO TAKE COAL FROM UNDER THE STREETS AND ALLEYS OF THE CITY OF CENTRALIA.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**543.]** § 1. That for the encouragement of mining and manufacturing interests within the city limits of the City of Centralia, and to enable the Centralia Mining and Manufacturing Company at said Centralia to pass from their shaft now sunk, or any other shafts to be hereafter sunk by said company for raising coal, to lands lying beyond the streets and alleys of said city, and secure to said company the right of way under, through and across the streets in running entries in the vein of coal by said company worked, and to enable said company to mine and take

out the coal underlying said streets and alleys of said city, the said city of Centralia, in the County of Marion and State of Illinois, doth hereby ordain that a lease shall be executed to said company aforesaid, for mining all coal underlying the streets and alleys of the said city, and granting the right of way thereunder, said lease to run for the term of fifty years, and the said company pay to said city royalty at the rate of fifty dollars per acre for all coal by said company taken out from under the said streets and alleys, and that said royalty shall be paid at the end of each and every quarter or three months in each and every year from the time said company commences taking out coal from any street or alley, and all coal taken out during any quarter shall be due and payable at the end of said quarter; that said lease shall be executed by the said city to the Centralia Mining and Manufacturing Company at Centralia, Illinois, when said company shall desire the execution thereof to be made, at and for the royalty aforesaid to be paid.

**544.]** § 2. Nothing in section one of this ordinance shall be so construed as to prevent any other coal company that may hereafter be formed within the City of Centralia, from the same privilege of mining and passing under the streets and alleys of the City of Centralia as is hereby granted to the Centralia Mining and Manufacturing Company.

**545.]** § 3. This ordinance shall take effect and be in force from and after its passage.

Approved April 6, 1875.

In testimony whereof I have hereunto set my hand and  
caused to be affixed the corporate seal of the City  
[SEAL.] of Centralia, Illinois, this 7th day of April,  
A. D. 1875.

M. C. KELL, MAYOR.

Attest: H. G. HAND, CITY CLERK.

CENTRALIA MINING & MANUFACTURING COMPANY.  
ADDITIONAL FRANCHISE.

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ORDINANCE No. 37.

AN ORDINANCE GRANTING THE RIGHT OF WAY OVER CERTAIN STREETS THEREIN NAMED TO THE CENTRALIA MINING AND MANUFACTURING COMPANY, AND VACATING A CERTAIN STREET THEREIN NAMED FOR THE USE OF SAID COMPANY.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**546.]** § 1. That the right of way to grade and lay a railroad track or tracks over or across Chestnut street, in the City of Centralia, for the purpose of making side tracks leading from the Illinois Central Railroad Company's track to the shaft now sunk, or any other shaft hereafter to be sunk within the corporate limits of the City of Centralia, by the Centralia Mining and Manufacturing Company and their successors and assigns, be and the same is hereby granted to the Centralia Mining and Manufacturing Company at Centralia, Illinois.

**547.]** § 2. That that part of Seventh South street lying between Walnut street and the Illinois Central Railroad track be and the same is hereby vacated for the use of the Centralia Mining and Manufacturing Company at Centralia, Illinois, and their successors and assigns.

**548.]** § 3. That said Mining and Manufacturing Company shall have the right to erect and construct over and across Chestnut street, in the City of Centralia, such trestles or trestle works as may be necessary for the successful mining operations of said company: *Provided*, said Mining and Manufacturing Company shall, in each trestle work erected over and across said street, leave a passage way or bent of not less than sixteen (16) feet in width for the passage of persons, wagons, vehicles, etc.

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**549.]** § 4. This ordinance shall take effect and be in force from and after its passage.

Approved April 6, 1875.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City of [SEAL.] Centralia, Illinois, this 7th day of April, A. D. 1875.

M. C. KELL, MAYOR.

Attest: H. G. HAND, CITY CLERK.

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## JACKSONVILLE SOUTHEASTERN RAILWAY FRANCHISE.

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[AN ORDINANCE GRANTING TO THE JACKSONVILLE & SOUTHEASTERN RAILWAY COMPANY FRANCHISE OVER CERTAIN STREETS IN CENTRALIA. CHAPTER 32 REVISED ORDINANCES 1883.]

**550.]** § 1. That Chestnut street in the said City of Centralia, in the County of Marion and State of Illinois, be and the same is hereby appropriated to the use of the Jacksonville Southeastern Railway Company, and their successors in office and assigns, as a right of way for the purpose of building and operating a railroad over and upon the same, with the right to place thereon one or more tracks; save and except that part of said Chestnut street which lies between Second North street and Third South street in the said city, and as to that part of said Chestnut street last named, the right to use the same for railroad purposes is limited to the laying and operating of but one track on the same.

**551.]** § 2. That Wabash Avenue in said City of Centralia is hereby granted to the said Jacksonville Southeastern Railway Company, its successors and assigns, for the use of its railroad, with the right to build, lay down and operate one or more railroad tracks on the same: *Provided*, always, that the Jack-

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sónville Southeastern Railway Company shall build, or construct its railroad to said City of Centralia by the first day of January, A. D. 1884, and if not so built and constructed as aforesaid, then the right to use said streets as herein provided shall cease and be null and void.

**552.] § 3.** The permission, authority and privileges hereby granted are upon the further express condition that the said Jacksonville Southeastern Railway Company shall and will forever indemnify and save harmless the said City of Centralia against and from any and all damages, judgments, decrees and costs and expenses of the same which it may suffer, or which may be recovered or obtained against said city for, or by reason of the granting of such privileges and authority, or for or by reason of, or growing out of, or resulting from the passage of this ordinance, or any matter or thing connected therewith, or with the exercise by said company of the privileges and authority hereby granted.

**553.] § 4.** That before any of said railroad tracks are laid or constructed in or upon said streets there shall be established, at the expense of said company, a grade of and for said street, said grade to be established by said company under the supervision and to the entire satisfaction of the City Council of said city, or the person or persons designated by said Council. And the said company is hereby required to construct and lay the road bed and ties of their railroad track or tracks in exact conformity to and with said grade, so to be established; and to keep and maintain the same at and in conformity to said grade, so that no part of their said track or tracks shall at any time be either above or below said grade, except the rails of said track or tracks, which may be laid with their bottoms resting upon said grade, upon express condition that the said company shall and will keep their said track or tracks so to be constructed in good repair, with suitable planking on the outside of and between the rails, on that portion of Chestnut street lying between Second North street and Third South street, and also at all points where streets cross said railroad tracks, so as to make the crossing of

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the same safe and convenient, and so that vehicles may easily and readily pass over said track or tracks without injury or inconvenience.

**554.]** § 5. That the said company shall not destroy or in any manner obstruct the sewer and natural water course now existing in, along and on said Chestnut street. And, in case the said company should lay or construct a track or tracks upon or over said sewer and water course, or any part thereof, then and in that case the said company shall keep and maintain said sewer in good repair and condition, and the said water course in good condition for sewerage purposes. And the same shall be done and so kept and maintained by said company, for the use of said City of Centralia, for sewerage purposes, under the supervision and to the entire satisfaction of the Committee on Streets and Alleys of said city.

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JACKSONVILLE SOUTHEASTERN RAILWAY COMPANY  
ADDITIONAL FRANCHISE.

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ORDINANCE No. 21.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**555.]** § 1. That the portion of Kaskaskia street east of Wabash avenue in said City of Centralia, in the county of Marion and State of Illinois, be, and the same is hereby appropriated to the Jacksonville Southeastern Railway Company, its successors and assigns, upon the conditions, and under the limitations hereinafter mentioned or contained, as a right of way for the purpose of building and operating a single railroad track along, and upon the same: *Provided*, that said railway company shall construct its railroad from Centralia to a connection with the Louisville and Nashville railroad on or before the first day of

January, A. D. 1888. The right to the use of said Kaskaskia street is granted to the said Jacksonville Southeastern Railway Company, its successors and assigns, upon the following limitations and conditions:

**FIRST.** The ordinance granting to said railway company the use of Chestnut street and Wabash avenue in said City of Centralia, published and known as Chapter XXXII of the Revised Ordinances of 1883, is hereby so modified as to permit the laying of one track only by said Jacksonville Southeastern Railway Company, its successors or assigns, on Chestnut street, south of Second North street, thence south on Wabash avenue to Kaskaskia street, and the City Council of said City of Centralia shall, from and after the passage of this ordinance, have full power and authority to grant to any railway company or railway companies the right to build and operate another railway or other railways along, or upon Chestnut street, Wabash avenue and Kaskaskia streets, any grant, restriction, or provision in said ordinance contained to the contrary notwithstanding, and in case of the construction of another railway upon Kaskaskia street, the said Jacksonville Southeastern Railway Company shall shift, or remove its said track to one side of said street.

**SECOND.** The said Jacksonville Southeastern Railway Company shall, and will, forever indemnify and save harmless the said City of Centralia against, and from any and all damages, judgments, decrees, costs, expenses and reasonable attorney's fees, which it may incur or suffer, or which may be recovered or obtained against said city, for, from or by reasons resulting from the passage of this ordinance or the exercise by said railway company of the rights or privileges herein granted.

**THIRD.** The said Jacksonville Southeastern Railway Company consents and agrees that in case a claim for damages to property shall be made by any owner of property abutting upon said Kaskaskia street, either against the said City of Centralia or the said railway company, such claim, the claimant so electing, shall be submitted to arbitration, each party selecting an arbitrator and they selecting a third, and the decision of such arbitrators therein shall be final, and in the event such question of damages shall be determined by or in a suit at law or in equity against

said city or said railway company, the said railway company, in addition to the damages so determined, will pay to the property owner a reasonable attorney's or solicitor's fee.

FOURTH. The said railway company shall make and provide all culverts and street crossings for vehicles and pedestrians at any time required or deemed necessary by the City Council of the said City of Centralia, and shall keep and maintain the same in good repair; that before said railroad track is laid on said Kaskaskia street, there shall be established, at the expense of said railway company, and to the satisfaction of the City Council of said city, a grade for said street, to which grade, when so established, said railroad track shall be made to conform and shall be kept and maintained in conformity therewith, except that the rails of said track may be laid with their bottoms resting upon said grade.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City [SEAL.] of Centralia, Illinois, this 6th day of July, A. D. 1887.

B. HAUSSLER, MAYOR.

Attest: Z. T. CONDIT, CITY CLERK.

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ORDINANCE No. 23.

AN ORDINANCE AMENDING ORDINANCE NO. 21.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

556.] § 1. That Sec. 1 of Ordinance No. 21 be and is hereby amended by striking therefrom the words: Provided that said railway company shall construct its railroad from Centralia to a connection with the Louisville and Nashville railroad on or before the first day of January, A. D. 1888. And inserting in lieu thereof the words: Provided said railway company shall construct its line of road to a connection with a railroad, extend-

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ing from the corporate limits of said city to the Louisville and Nashville railroad, on or before the first day of January, A. D. 1888.

In witness whereof I have set my hand and caused to be affixed the corporate seal of the City of Centralia, [SEAL.] Illinois, this 26th day of December, A. D. 1887.

B. HAUSSLER, MAYOR.

Attest: Z. T. CONDIT, CITY CLERK.

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JACKSONVILLE, LOUISVILLE ST. LOUIS RAILWAY Co.  
FRANCHISE.

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ORDINANCE No. 52.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

557.] § 1. That a portion of Third North street, in the City of Centralia, County of Marion and State of Illinois, to-wit: A strip of land five feet, more or less, in width, the east line of which commences at a point about sixty-six and one-half feet east of the northwest corner of Lot 1 in Block 12 of said city, running thence northeasterly seventy feet across said Third North street, and the west line of said strip being parallel thereto; also a strip of land five feet, more or less, in width, the east line of which commences at a point about fifteen feet west of the northeast corner of said lot and runs in a northeasterly course across said Third North street seventy feet, more or less, with the west line of said strip, parallel thereto; also a strip of land five feet, more or less, in width, being a portion of Fourth North street in said city, the east line of said strip commencing at a point about five feet west of the northeast corner of Block 5 of said city, and running thence in a northeasterly course seventy feet, more or less, across said Fourth North street, with the west line of said strip parallel thereto, be and the same is hereby appropriated to

the Jacksonville, Louisville and St. Louis Railway Company, its successors and assigns, upon the conditions and under the limitations hereinafter mentioned or contained, as a right of way for the purpose of building and operating railway track or tracks along and upon the same.

**558.] § 2.** The permission, authority and privileges hereby granted are upon the express condition that the said Jacksonville, Louisville and St. Louis Railway Company, its successors and assigns, shall and will forever indemnify and save harmless the said City of Centralia against and from any and all damages, judgments, decrees and costs and expenses, including a reasonable attorney's or solicitor's fee, of the same which it may suffer, or which may be recovered or obtained against said city, or which said city may incur in the defense of any suit for or by reason of or growing out of or resulting from the passage of this ordinance, or any matter or thing connected therewith, or with the exercise by said company of the privileges and authority hereby granted.

**559.] § 3.** Said railway tracks shall be laid and constructed in exact conformity with the established grade of the streets of said city, and said company, its successors and assigns, shall keep and maintain the same at and in conformity to said grades, so that no part of said tracks shall at any time be either above or below said grade, except the rails of said tracks, which may be laid with their bottoms resting upon said grade, and said privileges and authority hereby granted is upon the further express condition that said company shall and will keep their said track or tracks so to be constructed in good repair, and said track or tracks so to be constructed on and across Third North street, as aforesaid, with suitable planking between and on the outside of the rails thereof, so as to make the same safe and convenient and so that vehicles may easily and readily pass over said track or tracks without injury or inconvenience, and that said company, its successors and assigns, upon receiving ten days notice, will cause to be constructed a similar suitable crossing for vehicles upon said track or tracks so to be constructed on Fourth North street as aforesaid.

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560.] § 4. That said company shall not destroy or obstruct in any manner the sewer and natural water course now existing in and along said Fourth North and Third North streets, and said company agrees to construct and build a good and sufficient sewer on both sides of said Third North street from the first alley west of Chestnut street along, through and upon said Third North street and across said Chestnut street, and along and upon such parts of Fourth North street as are interfered with by the said track or tracks, suitable to carry off the natural flow of water on said streets with reference to the established grade of said city and in conformity with the same, and shall keep and maintain said sewers in good repair and condition, and said water courses in good condition for sewerage purposes; and the same shall be done and so kept and maintained by said company for the use of said city of Centralia for sewerage purposes, under the supervision and entire satisfaction of the Committee on Streets and Alleys of said city.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City [SEAL.] of Centralia, Illinois, this 12th day of May, A. D. 1890.

HENRY L. RHODES, MAYOR.

Attest: W. F. BUNDY, CITY CLERK.

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JACKSONVILLE, LOUISVILLE & ST. LOUIS RAILWAY  
ADDITIONAL FRANCHISE.

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ORDINANCE No. 91.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

561.] § 1. That permission, privilege and authority is hereby granted to the Jacksonville, Louisville and St. Louis Railway, its successors and assigns, to lay down, construct and

operate a railroad switch track, commencing at their main track on Chestnut street between Fifth and Sixth South streets in this city and running in a southwest direction to the west side of said Chestnut street; also across Sixth South and between Chestnut and Walnut streets.

**562.]** § 2. That portion of said track which shall be constructed upon Chestnut street shall be in exact conformity with the established grade, and said company shall so keep and maintain the same so that no part of their said track shall at any time be above or below said grade, and said portion of said track shall be planked between the rails and for a distance of two feet outside of both rails, so that teams may cross and pass readily over and across the same, and should that portion of Sixth South street or other street where said railroad track crosses the same at any time be opened up for public travel, then said company shall construct and maintain, at their own expense, suitable crossings over their said tracks at said points, in conformity with the established grade.

**563.** § 3. The said company shall not destroy or in any manner obstruct the sewers and natural water courses now existing upon any of the parts of streets which are crossed by their said tracks, and in case said company should lay or construct its track upon or over any sewer or water course or any part thereof, then and in that case the company shall keep and maintain the said sewer or water course in good repair and condition, under the supervision and subject to the approval of the Street Commissioner of said city.

**564.]** § 4. The permission, privilege and authority hereby granted to the said Jacksonville, Louisville and St. Louis Railway, its successors and assigns, are upon the express condition that said company, its successors and assigns, shall and will forever indemnify and save harmless the said City of Centralia against and from any and all damages, judgments, decrees and costs and expenses of same, which it may suffer or which may be recovered or obtained against said city, for or by reason of the granting of the privileges and authority hereby granted, or for or by reason of or growing out of or resulting from the

passage of this ordinance or any other matter or thing connected therewith or with the exercise by said company of the privileges and authority hereby granted, to all of which said company for itself and its successors and assigns will signify its assent by the acceptance of any of the privileges herein granted.

**565.]** § 5. Provided further that nothing in this ordinance contained shall give said company any right to interfere with the rights heretofore granted to the Centralia and Chester Railroad Company, or any other corporation in said city, and said Jacksonville, Louisville and St. Louis Railway, in the construction of its said track, shall not interfere with the right of way heretofore selected by any such corporation, nor molest or interfere with its track or tracks.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the  
[SEAL.] City of Centralia, Illinois, this 10th day of January, A. D. 1893.

J. N. KERR, MAYOR.

Attest: W. F. BUNDY, CITY CLERK.

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## JACKSONVILLE, LOUISVILLE & ST. LOUIS RAILWAY DEPOT GROUNDS FRANCHISE.

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### ORDINANCE No. 129.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**566.]** § 1. That the right, permission and authority is hereby granted to the Jacksonville, Louisville and St. Louis Railway Company and to its successors and assigns, to occupy the west twenty-five feet of Chestnut street, in front of lots one, two, three, four, five, six and seven in block numbered twelve of the original town of the City of Centralia, with the right to

build and maintain thereon a platform and station building to be used in connection with its railway in said city, on condition that the south end of said platform shall not be less than thirty feet and the south end of said station building shall not be less than fifty feet north of the northeast corner of lot eight in block numbered twelve, and upon the further condition that said railway company shall at all times keep an open driveway at least thirty feet in width, commencing at Chestnut street on the South side of lot 7 in block 12 and extending on the west side of said platform and depot building to Third North street, for the use of the public.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City of [SEAL.] Centralia, Illinois, this 21st day of November, A. D. 1894.

JAS. BENSON, MAYOR.

Attest: H. VAN CLEVE, CITY CLERK.

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LOUISVILLE, EVANSVILLE & ST. RAILROAD COMPANY'S  
TELEGRAPH FRANCHISE.

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ORDINANCE No. 49.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

567.] § 1. That the Louisville, Evansville and St. Louis Consolidated Railroad Company and its successors and assigns, be and the same are hereby granted the right of way through, in and upon the following streets and alleys, to-wit:

Commencing at the north end of Chestnut street, thence along said street south to Fourth North street, thence west on Fourth North street to the alley between Chestnut and Walnut streets, thence south on and along said alley to Sixth South street, thence west on Sixth South street to Walnut street, thence south

on and along Walnut street to Kaskaskia street, thence east on Kaskaskia streets to the limits of the City of Centralia, in the County of Marion and State of Illinois, for the use and purposes of therein and thereon to erect and maintain and use all the necessary poles or posts of wood, iron or other suitable material, and the necessary wires successfully to operate and use a system of telegraphy through said city: *Provided*, said company and its successors and assigns shall so set said posts or poles, iron or other suitable material, and place the wires thereon in such places, to-wit: On either line of said streets or alley not now occupied by any other company, and in such a manner as not to interfere with the travel on said streets or alley, and shall put and keep in good order all those parts of the same interfered with or used in the erection of said poles or posts, iron or other suitable material, and shall hereafter so maintain the same in like good order.

**568.]** § 2. Said poles, posts, iron or other material, shall be so set as not to interfere with the flow of water in any gutter or drain in said streets and alley.

**569.]** § 3. The said City Council expressly reserves the right to grant the right of way through, in and upon the said streets and alley for the erection, maintainance and use of the necessary poles, posts and wires of any other telegraph company, or individual or other company, the same not to interfere with the proper and successful use of the rights hereby granted to the said railroad company and its assigns.

**570.]** § 4. Provided that the erection of said poles, posts, iron, wire or other materials, shall be placed and erected under the control and supervision of the Committee on Streets and Alleys or the Street Commissioner: *And, provided, further*, that the permission and privileges hereby granted are upon the express condition that the Louisville, Evansville and St. Louis Consolidated Railroad Company shall and will forever indemnify and save harmless the said City of Centralia against and from any and all damages, judgments and costs and the expenses of the same which it may suffer or which may be recovered or

obtained against said city for or by reason of the granting of such privileges or authority, or for or by reason of or growing out of, or resulting from the passage of this ordinance, or any matter or thing connected therewith or with the exercise by said company of the privileges and authority hereby granted.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City [SEAL.] of Centralia, Illinois, this 15th day of January, A. D. 1890,

JAMES BENSON, MAYOR.

Attest: FRANK F. NOLEMAN, CITY CLERK.

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### TELEPHONE EXCHANGE FRANCHISE.

[AN ORDINANCE GRANTING FRANCHISE TO CENTRAL TELEPHONE COMPANY. CHAPTER 30 REVISED ORDINANCES 1883.]

571.] § 1. That the Central Telephone Company and its successors and assigns be, and they are hereby granted the right of way through, in and upon the streets, sidewalks, alleys and public grounds of the City of Centralia, in the County of Marion, and State of Illinois, for the use and purposes of therein and thereon to erect, maintain and use all the necessary poles or posts of wood, iron or other suitable material, and the necessary wires to successfully operate and use a system of telephones, or a telephone exchange in the City of Centralia aforesaid: *Provided*, that the said Central Telephone Company and its successors and assigns, shall maintain and use (under proper and reasonable restrictions and rules), an office and operator on lines of telephone wires at some convenient point within the city; and shall so set said poles or posts and place the wires thereon in such places and in such manner as not to interfere with travel on said streets, sidewalks, alleys and public grounds aforesaid, and shall put and keep in good order all those parts of the same interfered with or used in the erection of said pole or posts, and shall hereafter so maintain the same in like good order.

**572.]** § 2. Said poles shall be so set as not to interfere with the flow of water in any gutter or drain in said city, and the points of location shall be determined under the direction of the Street Commissioner or the City Civil Engineer.

**573.** § 3. The said City Council expressly reserves the right to grant right of way through, in and upon said streets, sidewalks, alleys and public ground, for the erection, maintenance and use of the necessary poles or posts and wires of any other telephone company or individual, whenever requested, the same not to interfere with the proper and successful use of the rights hereby granted to the said Central Telephone Company and its successors and assigns.

**574.]** § 4. The City Council shall enact such ordinance as may become necessary for the protection of telephone poles, fixtures and wires against abuse and injury: *Provided*, the City Council shall have the right to regulate and control the use of said right of way by the said company by all reasonable ordinances, and shall have the right to terminate the above privileges upon seasonable notice to the said Telephone Company.

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## WESTERN UNION TELEGRAPH COMPANY'S CLOCK FRANCHISE.

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### ORDINANCE NO. 79.

• *Be it Ordained by the City Council of the City of Centralia, Illinois:*

**575.]** § 1. That the Western Union Telegraph Company is hereby granted the permission, privilege and authority, subject to the conditions hereinafter set forth, to erect and stretch wires over and across, and when necessary, along the streets and alleys in said city, for the sole purpose of synchronizing clocks, for a term of fifteen years.

**576.]** § 2. Said Western Union Telegraph Company shall not erect or construct any poles or posts in or upon said streets and alleys for the purpose of supporting their aforesaid wires upon, except upon the written consent of the Committee on Streets and Alleys had therefor, and said wires shall be so constructed and erected so as not to interfere with any of the wires or the operation and enjoyment of the rights, privileges and authority heretofore granted to any other corporation or individuals to erect wires in said city, and the wires so to be erected by the said company shall in no instance be nearer than twenty feet to the surface of any of the streets and alleys of said city, except where said wires are brought down for the purpose of entering a building.

**577.]** § 3. For and in consideration of privileges hereinbefore granted, the said company for itself, successors and assigns, hereby covenants and agrees to keep and forever save harmless the said City of Centralia from any and all damages, judgments, decrees, costs and expenses of the same, including attorney fees, which it may suffer or which may be obtained or recovered against the said city for or by reason of the granting of such privileges and authority, or for or by reason of or growing out of or resulting from the passage of this ordinance, or any matter or thing connected therewith, or with the exercise of said company of the privileges and authority hereby granted. And upon neglect or failure of the said company so to do within reasonable time then this ordinance shall become null and void and all rights and privileges hereby granted shall cease and be forfeited: *Provided*, nothing herein contained shall be construed to prevent the city maintaining its right of action against said company in any such event, for all lawful demands arising under this ordinance or growing out of or resulting from its passage.

In witness whereof I have hereunto set my hand and  
caused to be affixed the corporate seal of the  
[SEAL.] City of Centralia, Illinois, this 30th day of June,  
A. D. 1892.

J. N. KERR, MAYOR.  
Attest: W. F. BUNDY, CITY CLERK.

## PLATS AND SUB-DIVISIONS.

## ADAMS' ADDITION.

[EXTRACT FROM THE RECORD OF MARION COUNTY.]

578.] A. M. C. Adams' Addition to the City of Centralia, as laid out on a part of the southwest quarter of the southeast quarter of section seven, township one north, range one east of the Third Principal Meridian, Marion County, Illinois, was platted and the plat thereof filed for record March 27th, A. D. 1891, and recorded in book 4 of Miscellaneous Records, page 209.

## WILLIAM ANDERSON'S SUB-DIVISION.

## ORDINANCE No. 88.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

579.] § 1. That the survey and plat of William M. Anderson's sub-division of the southeast quarter of the northwest quarter of section nineteen, town one north, range one east of the Third Principal Meridian, as evidence by the plat and Surveyor's certificate hereunto annexed, dated the 1st day of November, A. D. 1892, be and the same is hereby approved, and that all the streets, alleys, common or public grounds designated on said plat as dedicated to the public, be and the same are hereby accepted.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City [SEAL.] of Centralia, Illinois, this 17th day of November, A. D. 1892.

J. N. KERR, MAYOR.

Attest: W. F. BUNDY, CITY CLERK.

## FREDERICK BACH'S SUB-DIVISION.

[TRANSCRIPT FROM RECORD OF MARION COUNTY.]

580.] Frederick Bach's sub-division of lot one in block three of A. J. Pearcy's Addition to the City of Centralia, Illinois, was platted and the plat thereof filed July 23rd, A. D. 1885, and the same recorded in book 3 of Miscellaneous Records, page 16.

## E. S. CONDIT JR'S. ADDITION.

## ORDINANCE No. 75.

## AN ORDINANCE APPROVING THE PLAT AND SUB-DIVISION OF E. S. CONDIT JR'S. ADDITION TO THE CITY OF CENTRALIA.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

581.] § 1. That the sub-division of a part of the southeast quarter of the southwest quarter of section seven, town one north, range one east of the Third Principal Meridian, known as the E. S. Condit Jr's. Addition to the City of Centralia, including all lots, blocks, streets and alleys, together with the plat thereof, a copy of which is hereunto annexed and made a part of this ordinance, be and the same are hereby approved.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City [SEAL.] of Centralia, Illinois, this 4th day of November, A. D. 1891.

HENRY L. RHODES, MAYOR.

Attest: FRANK F. NOLEMAN, CITY CLERK.

## E S. CONDIT JR'S. ADDITION No. 2.

## ORDINANCE No. 99.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**582.]** § 1. That the sub-division and plat of Edwin S. Condit Jr's. Addition No. 2 to the City of Centralia, as laid out on the southeast quarter of the southwest quarter of section seven (7), in town one (1) north, range one (1) east of the Third Principal Meridian, in Marion County, Illinois, as shown by the annexed plat and certificate, be and the same is hereby approved and the streets and alleys as shown thereon are hereby accepted for the public use in accordance with the terms therein set forth.

**583.]** § 2. That the City Clerk is hereby directed to file a copy of this ordinance and the plat and certificate hereto attached in the Recorder's office of Marion county, for record at the expense of the said Edwin S. Condit Jr.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City of [SEAL.] Centralia, Illinois, this 12th day of April, A. D. 1893.

J. N. KERR, MAYOR.

Attest: W. F. BUNDY, CITY CLERK.

## J. G CORMICK'S ADDITION.

[EXTRACT FROM THE RECORD OF MARION COUNTY.]

**584.]** J. G. Cormick's sub-division of lots eleven, thirteen and fifteen of Watson's Place, as laid out upon the southwest quarter of the northwest quarter of section seventeen, township one north, range one east of the Third Principal Meridian, Marion County, Illinois, was platted and the plat thereof filed for record April 3rd, A. D. 1866, and recorded in book Z of records on page 240.

## A. P. CROSBY'S ADDITION.

[EXTRACT FROM THE RECORD OF MARION COUNTY.]

**585.]** A. P. Crosby's Addition to Centralia, being a subdivision of the east half of the northwest quarter of section nineteen, township one north, range one east of the Third Principal Meridian, Marion County, Illinois, was platted and the plat thereof filed for record March 22nd, A. D. 1854, and recorded in book H of records on page 328.

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## DELANCEY'S SUB-DIVISION.

[EXTRACT FROM THE RECORD OF MARION COUNTY.]

**586.]** W. J. A. DeLancey's Sub-division of lot four in block 115 of the Illinois Central Railroad Company's Addition to the City of Centralia, Illinois, was platted and the plat thereof filed for record November 14th, A. D. 1894, and recorded in book 4 Miscellaneous Records, page 424.

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## SIMPSON FRAZIER'S ADDITION.

[EXTRACT FROM THE RECORD OF MARION COUNTY.]

**587.]** Simpson Frazier's Addition to Centralia, consisting of various lots and parcels of land laid out upon the south half of the southwest quarter of section seventeen, township one north, range one east of the Third Principal Meridian, Marion County, Illinois, was platted and the plat thereof filed for record March 6th, 1869, and recorded in book Y of records on page 198.

## GEORGE GRAGG'S SUB-DIVISION

## ORDINANCE No. 113.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**588.]** § 1. That the plat of George Gagg's sub-division of the south half ( $\frac{1}{2}$ ) of the northeast fourth ( $\frac{1}{4}$ ) of the southwest fourth ( $\frac{1}{4}$ ), and the southeast fourth ( $\frac{1}{4}$ ) of the southwest fourth ( $\frac{1}{4}$ ) of section eight (8), town one north, range one east of the Third Principal Meridian, situated in the City of Centralia, in the County of Marion and State of Illinois, certified to by James M. Robnett, the Surveyor, and signed, sealed, acknowledged and delivered by the owners thereof on the 5th day of September, A. D. 1893, be and the same is hereby approved.

**589.]** § 2. All streets, avenues and alleys as shown upon said plat are hereby accepted.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City of  
 [SEAL.] Centralia, Illinois, this 21st day of September, A. D. 1893.

JAS. BENSON, MAYOR.

Attest: H. VAN CLEVE, CITY CLERK.

“TOWN OF CENTRALIA” AS LAID OUT BY THE ILLINOIS  
 CENTRAL RAIL ROAD COMPANY.

[EXTRACT FROM RECORD OF MARION COUNTY.]

**590.]** The Town of Centralia, as laid out and recorded by the Illinois Central Rail Road Company on section number eighteen, in township number one north, range number one east of the Third Principal Meridian, Marion County, Illinois, consisting of

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blocks one (1) to seventy-two (72) inclusive, was duly platted and the plat thereof filed for record on the 16th, day of May, A. D. 1855, and recorded in Record Book J, on page 604.

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### RAIL ROAD ADDITION TO THE TOWN OF CENTRALIA AS LAID OUT BY THE ILLINOIS CENTRAL RAIL ROAD COMPANY.

[EXTRACT FROM THE RECORD OF MARION COUNTY.]

**591.**] The Rail Road Addition to the Town of Centralia as laid out by the Illinois Central Rail Road Company on section number eighteen, township number one north, range number one east of the Third Principal Meridian, Marion County, Illinois, consisting of blocks seventy-three (73) and one hundred and thirty-four (134), inclusive, and blocks A, B, C, D, E, F, G and H, was platted and the plat thereof filed for record June 24th, A. D. 1859, and recorded in Record Book P, on page 576.

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### CENTRALIA AS LAID OUT BY CHARLES FLOYD-JONES, DANIEL GREGORY AND NATHAN R. STICKNEY.

[EXTRACT FROM THE RECORD OF MARION COUNTY.]

**592.**] Centralia laid out by Charles Floyd-Jones, Daniel Gregory and Nathan R. Stickney on the southeast quarter of the southeast quarter of section seven, township number one north, range number one east of the Third Principal Meridian, Marion County, Illinois, was platted and the plat thereof filed for record May 23rd, A. D. 1853, and recorded in Record Book G, page 489.

CENTRALIA AS LAID OUT BY CHARLES FLOYD-JONES,  
ISAAC McCLELLAND, GEORGE EHNINGER AND  
SIMON SPEAR.

[EXTRACT FROM THE RECORD OF MARION COUNTY.]

**593.** Centralia laid out by Charles Floyd-Jones, Isaac McClelland, George Ehninger and Simon Spear, on the west half of the northwest quarter of section number nineteen, township number one north, range number one east of the Third Principal Meridian, Marion county, Illinois, was platted, and the plat thereof filed for record November 4th, 1853, in Record Book H, on page 90.

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KERR'S ELMWOOD ADDITION.

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ORDINANCE No. 73.

AN ORDINANCE EXTENDING THE BOUNDARIES OF THE CITY OF CENTRALIA.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**594.]** § 1. That all that certain tract of land adjoining the City of Centralia which was duly laid off in town lots by Mary A. Kerr and duly platted and recorded as "Kerr's Elmwood Addition to the City of Centralia" as required by law, being a part of the northeast quarter of the northeast quarter of section thirteen, town one north, range one west of the Third Principal Meridian, situated in the County of Clinton, in the State of Illinois, with all the lots, blocks, streets and alleys of said addition be and is hereby declared annexed to and the same shall hereafter form a part of the City of Centralia, and shall be subject to all the laws and ordinances thereof.

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**595.]** § 2. That all that portion of the City of Centralia known as Kerr's Elmwood Addition to the City of Centralia shall be annexed to and belong to the First Ward of said City.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City [SEAL.] of Centralia, Illinois, this 14th day of October, A. D. 1891.

HENRY L. RHODES, MAYOR.

Attest: FRANK F. NOLEMAN, CITY CLERK.

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### ISAAC McCLELLAND'S ADDITIONS NO. ONE AND NO Two.

[EXTRACT FROM THE RECORD OF MARION COUNTY.]

**596.]** Isaac McClelland's Additions to the City of Centralia number one and number two, as laid out on the southwest quarter of the southeast quarter of section seven, township number one north, range number one east of the Third Principal Meridian, Marion County, Illinois. The said Addition number one being laid out on the southwest part of quarter quarter section, and said Addition number two being laid out on the southeast part of quarter quarter section, was platted and the plat thereof filed for record November 28th, A. D. 1865; and recorded in Record Book V, page 575.

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### MEYERS AND McCANCE'S ADDITION.

[EXTRACT FROM THE RECORD OF MARION COUNTY.]

**597.]** Meyers and McCance's Addition to the City of Centralia as laid out on the plat of ground designated as "Number Two" on Commissioner's plat of the west half of the south-

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east quarter of section seven, township number one north, range number one east of the Third Principal Meridian, Marion County, Illinois, was platted, and the plat thereof filed for record on May 11th, A. D. 1891, and recorded in Book 4 of Miscellaneous Records, page 218.

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### NOLEMAN'S SUB-DIVISION.

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#### ORDINANCE NO. 120.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**598.]** § 1. That the plat of Noleman's Sub-Division of block number eighty-eight [88] of the Railroad Addition to the City of Centralia, Illinois, as laid out, platted and acknowledged by Anna M. Noleman, bearing date December the 12th, A. D. 1893, be and the same is hereby approved.

**599.]** § 2. All streets and alleys, as shown upon said plat, are hereby accepted as dedicated to the city for the use of the public.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City [SEAL.] of Centralia, Illinois, this 20th day of December, A. D. 1893.

JAMES BENSON, MAYOR.

Attest: H. VAN CLEVE, CITY CLERK.

## PARKSIDE SUB-DIVISION.

## ORDINANCE No. 82.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

600.] § 1. That the plat of Parkside Sub-Division of Watson's Place, a copy whereof is hereunto annexed, being a sub-division of lots twelve, thirteen, fourteen, fifteen and sixteen and eight feet of the west side of lot seventeen of Watson's Place, and a resub-division of lots one, two, three, four, five, six, seven and eight of J. G. Cormick's sub-division of lot eleven of Watson's Place, said Watson's Place being a division of the southwest quarter of the northwest quarter of section seventeen, town one north, range one east of the Third Principal Meridian; situated in the City of Centralia, County of Marion and State of Illinois, as laid out and platted by H. T. Cunningham, Chauncey House, T. H. Stonecipher, S. C. Kelley, John H. Gray and H. G. Heil, the owners and proprietors thereof, and said sub-division be and the same is hereby approved, and all streets, alleys, common and public grounds marked and designated on said plat, be and the same are hereby accepted for the public use.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City of [SEAL.] Centralia, Illinois, this 18th day of August, A. D. 1892.

J. N. KERR, MAYOR.

Attest: W. F. BUNDY, CITY CLERK.

## PARKSIDE SUB-DIVISION No. Two.

## ORDINANCE No. 115.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**601.]** § 1. That the plat of Parkside Sub-Division Number Two of Watson's Place, Centralia, Illinois, being a sub-division of lots seventeen and eighteen of Watson's Place, as laid out, platted and acknowledged by James M. Robnett, J. C. Procise, James A. Sanders and S. W. Snider, bearing date the 15th day of September, A. D. 1893, be and the same is hereby approved.

**602.** § 2. All streets and alleys as shown upon said plat are hereby accepted as dedicated to the city for the use of the public.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the  
 [SEAL.] City of Centralia, Illinois, this 4th day of October,  
 A. D. 1893.

JAMES BENSON, MAYOR.

Attest: H. VAN CLEVE, CITY CLERK.

## ANDREW J. PEARCY'S ADDITION.

[EXTRACT FROM THE RECORD OF MARION COUNTY.]

**603.]** Andrew J. Pearcy's Addition to the City of Centralia as laid out on the east side of the west half of the southwest quarter of section seven, township number one north, range number one east of the Third Principal Meridian, Marion County, Illinois, was platted and the plat thereof filed for record December 2nd, A. D. 1856, and recorded in Record Book M, page 300.

## JOSEPH S. PROBASCO'S SUB-DIVISION.

[EXTRACT FROM THE RECORD OF MARION COUNTY.]

**604.]** Joseph S. Probasco's sub-division of block 134 of the Illinois Central Rail Road Addition to the City of Centralia, Marion County, Illinois, was platted and the plat thereof filed for record April 15th, A. D. 1884, and recorded in book 2 of Miscellaneous Records, page 525.

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## JOSEPH S. PROBASCO'S SUB-DIVISION.

[EXTRACT FROM THE RECORD OF MARION COUNTY.]

**605.]** Joseph S. Probasco's sub-division of lots one and two of block 134 of the Illinois Central Rail Road Company's Addition to the City of Centralia, Marion County, Illinois, was platted and the plat thereof filed for record September 9th, A. D. 1884, and recorded in book 2 of Miscellaneous Records, page 562.

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## PULLEN AND HAMM'S BOULEVARD ADDITION.

## ORDINANCE No. 67.

## AN ORDINANCE EXTENDING THE BOUNDARIES OF THE CITY OF CENTRALIA.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**606.]** § 1. That all that certain tract of land adjoining the said City of Centralia, being the tract of land which has been laid off into town lots by B. Pullen and Thomas P. Hamm, and

duly recorded as "Pullen and Hamm's Boulevard Addition" to the City of Centralia as required by law, and the tract of land adjoining the tract above described on the north side thereof, being one hundred feet in width and nineteen chains and sixty-eight and one-half links in length, and known and described as Miller or Fair Ground Avenue, all being a part of the northeast quarter of the northeast quarter and a part of the southeast quarter of the northeast quarter of section thirteen, town one north, range one west of the Third Principal Meridian, in the County of Clinton, in the State of Illinois, is hereby declared annexed to and shall hereafter be deemed and taken as a part of the blocks, lots, avenues, streets and alleys of said city, and shall hereafter form a part of said City of Centralia, and shall be subject to all the laws and ordinances in force in said city.

**607.]** § 2. That all that portion of the City of Centralia known as Pullen and Hamm's Boulevard Addition, shall be annexed to and belong to the Second Ward.

In witness whereof I have hereunto set my official hand and caused to be affixed the corporate seal of the City [SEAL.] of Centralia, Illinois, this 5th day of June, A. D. 1891.

HENRY L. RHODES, MAYOR.

Attest. FRANK F. NOLEMAN, CITY CLERK.

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### ROBNETT'S ADDITION.

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#### ORDINANCE No. 49.

##### AN ORDINANCE IN RELATION TO ROBNETT'S ADDITION.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**608.]** § 1. That all that tract of land lying in the northwest corner of section seventeen, in town one north, and range

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one east, in Marion County, and known and described and recorded as P. H. Robnett's Addition to Centralia, is hereby annexed to the City of Centralia and shall hereafter be deemed and taken as a part of the blocks and lots of the city, by their names and numbers respectively, and shall be subject, with the streets and alleys, to all the laws and ordinances now in force in the City of Centralia, in relation to blocks, lots, streets and alleys.

Approved September 1st, 1868.

In testimony whereof I have hereunto set my hand and affixed the seal of the City of Centralia, Illinois,  
[SEAL.] this 2nd day of September, A. D. 1868.

SAMUEL STORER, MAYOR.

J. C. COOPER, CITY CLERK.

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### NELLIE SKIPWORTH'S SUB-DIVISION

[EXTRACT FROM THE RECORDS OF MARION COUNTY.]

**609.**] Nellie Skipworth's sub-division of the north half of block two in A. J. Pearcy's Addition to the City of Centralia, Marion County, Illinois, was platted and the plat thereof filed for record July 23rd, A. D. 1884, and recorded in book 2 of Miscellaneous Records, page 547.

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### NELLIE SKIPWORTH'S SUB-DIVISION.

[EXTRACT FROM THE RECORD OF MARION COUNTY.]

**610.**] Nellie Skipworth's Sub-Division of the north half of block one and all of block two in A. J. Pearcy's Addition to the City of Centralia, Marion county, Illinois, was platted and the plat thereof filed for record April 28th, A. D. 1886, and recorded in Book 3 of Miscellaneous Records, page 95.

## TOWER GROVE ADDITION.

## ORDINANCE No. 103.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**611.]** § 1. That the plat and survey of the sub-division of lots five (5) and nine (9), in the west half ( $\frac{1}{2}$ ) of the southeast quarter ( $\frac{1}{4}$ ) section seven (7), township one (1) north, range one (1) east of the Third (3d] Principal Meridian, to be known as Tower Grove Addition to the City of Centralia, made by the proprietors thereof, to-wit: James M. Robnett, G. E. Eis, A. Harding and G. Pierce Duncan, which said plat is dated May 2, A. D. 1893, and duly acknowledged by said parties on the 11th day of May, 1893, be and the same is hereby approved, and all streets, alleys and public grounds in said plat and Surveyor's certificate and instrument of acknowledgment designated as dedicated to the public, are hereby accepted.

In witness whereof I have hereunto set my official hand and caused to be affixed the corporate seal of the City [SEAL.] of Centralia, Illinois, this 17th day of May, A. D. 1893.

JAMES BENSON, MAYOR.

Attest: H. VAN CLEVE, CITY CLERK.

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WATSON'S PLACE.

[EXTRACT FROM THE RECORD OF MARION COUNTY.]

**612.]** Watson's Place, Centralia, as laid out by George Watson on the southwest quarter of the northwest quarter of section seventeen, township number one north, range number

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one east of the Third Principal Meridian, Marion County, Illinois, was platted and the plat thereof filed for record on June 2nd, A. D. 1855, and recorded in Record Book J, page 574.

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### WILLARD'S SUB-DIVISION.

[EXTRACT FROM THE RECORD OF MARION COUNTY.]

**613.]** Willard's sub-division of block one hundred and twenty-six in the Railroad Addition to Centralia, Marion County, Illinois, was platted and the plat thereof filed for record on July 22nd, A. D. 1867, and recorded in Record Book X, page 82.

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### NAMING ALLEY IN BLOCK 30 TATE AND TOWNSEND AVENUE.

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#### ORDINANCE No. 53.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**614.]** § 1. That the alley in block number thirty of the original town of the City of Centralia, as laid out, platted and recorded by the Illinois Central Railroad Company, be and hereby is named and designated hereafter as Tate and Townsend Avenue.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City  
 [SEAL.] Centralia, Illinois. this 7th day of June, A. D. 1890.

HENRY L. RHODES, MAYOR.

Attest: W. F. BUNDY, CITY CLERK.

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## STRIP OF LAND BETWEEN SECTIONS EIGHT AND SEVENTEEN.

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### ORDINANCE NO. 58.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**615.]** § 1. That the following described strip of land be and the same is hereby declared a public street, to-wit: A strip of land two rods in width, commencing at the eastern extremity of the Walnut street extension at the northeast corner of the Robnett Addition to the City of Centralia, and running thence east, abutting on the south side of the section line between section eight and section seventeen, in town one north, range one east of the Third Principal Meridian, to the eastern limit line of said city, where it crosses said section line, said road being one hundred and thirty-three and one-third ( $133\frac{1}{3}$ ) rods more or less in length.

**616.]** § 2. That the Committee on Streets and Alleys cause a survey and plat of the foregoing road to be made by a competent surveyor, and that the City Clerk file the same in the Recorder's office of Marion County, Illinois, pursuant to the statute in such cases made and provided.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City of  
[SEAL] Centralia, Illinois, this 20th day of October, A.  
D. 1890.

HENRY L. RHODES, MAYOR.

Attest: W. F. BUNDY, CITY CLERK.

## REXFORD AVENUE.

## ORDINANCE No. 77.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**617.]** § 1. That the street of said city extending along the north side of block eight as laid out and platted by the Illinois Central Rail Road Company and along the north side of blocks C, B, A, 125, 126, 134, 133, 132 and 131 of the Illinois Central Rail Road Company's Addition and along the north side of Robnett's Addition and the extension of said street east to the eastern corporate limits of said city, the western portion of which is now known and designated as First street, and a part of the eastern portion as Walnut street, be and the same is hereby named and shall hereafter be known and designated throughout its entire extent as Rexford Avenue, anything in any other ordinance to the contrary notwithstanding.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City of [SEAL.] Centralia, Illinois, this 8th day of January, A. D. 1892.

HENRY L. RHODES, MAYOR.

Attest: FRANK F. NOLEMAN, CITY CLERK.

## RE-NAMING STREETS.

## ORDINANCE No. 92.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**618.]** § 1. That the names of the streets hereinafter mentioned, located in whole or in part in Floyd-Jones, Gregory

and Stickney's Addition to the City of Centralia, be and the same are hereby changed and shall hereafter be known and designated as is herein specified. That is to say

The name of Elm street is changed to Cormick street.

The name of Locust street is changed to Kell street.

The name of Chestnut street is changed to Howard street.

The name of Washington street is changed to Elm street.

The name of Adams street is changed to Noble street.

The name of Jefferson street is changed to McKee street..

The name of Madison street is changed to Wilson street.

The name of Monroe street and the street lying and abutting on the east side of the Railroad Addition to said city, extending from Calumet street to the city cemetery, coinciding in part with Monroe street, is changed to and hereafter shall be known and designated as Cemetery Avenue.

**619.]** § 2. The following names of streets in Pearcy's Addition to the City of Centralia, be and the same are hereby changed and shall hereafter be known and specified as is herein-after designated, to-wit:

The name of First street is changed to Rexford Avenue.

The name of Second street is changed to Welden street.

The name of Third street is changed to Parker street.

The name of Fourth street is changed to Johnson street.

The name of Fifth street is changed to Dimick street.

**620.]** § 3. The following names of streets in Watson's Place Addition to the City of Centralia are changed to and shall hereafter be known and designated as hereinafter specified, to-wit:

The name of North street is changed to McCord street.

The name of Main street is changed to Noleman street.

The name of South street is changed to Morrison street.

**621.]** § 4. The name of Washington Avenue in A. P. Crosby's Addition to said city is hereby changed to Locust street, and the name of Jefferson Avenue in said addition is hereby changed to Poplar street.

**622.]** § 5. That the street lying and abutting on the east of blocks numbered two, five, eight, eleven, fourteen, seventeen

and twenty in Floyd-Jones, McClelland, Ehninger and Spears' Addition to said city be and the same is hereby named Walnut street; and that the street lying and abutting on the east of blocks numbered one, four, seven, ten, thirteen, sixteen, nineteen and twenty-two in said addition be and the same is hereby named Hickory street.

**623.]** § 6. That the street lying and abutting Frazier's Addition to said city on the north be and the same is hereby named Frazier Avenue.

In witness whereof I have hereunto set my hand and caused to be affixed the corporate seal of the City of [SEAL.] Centralia, Illinois, this 8th day of March, A. D. 1893.

JASPER N. KERR, MAYOR.

Attest: W. F. BUNDY, CITY CLERK.

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## VACATING OAK AND OTHER STREETS.

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ORDINANCE No. 32, R. O. 1867.

AN ORDINANCE TO VACATE CERTAIN STREETS IN THE CITY OF CENTRALIA.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**624.]** § 1. That all that part of Oak Street lying and being between First North Street and Fourth South Street, in the City of Centralia, in the County of Marion and State of Illinois, according to the plat of said city, as laid out and recorded by the Illinois Central Railroad Company, be and the same is hereby vacated and annulled, and the same is, from the passage of this ordinance, closed.

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**625.]** § 2. That all that portion of Second and Third South Streets, in the City of Centralia aforesaid, laid out by the Central Railroad Company as aforesaid, and being between the tracks of the Illinois Central Railroad, out the east side of said Railroad, and the first alley east, and which alley divides blocks number forty-five and fifty-two, be and the same are hereby declared vacated for all public uses and purposes, and the same are hereby closed from and after the passage of this ordinance.

Approved August 16, 1864.

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AN ORDINANCE REPEALING A PORTION OF ORDINANCE  
No. 32, REVISED ORDINANCES 1867.

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ORDINANCE No. 48.

AN ORDINANCE TO AMEND ORDINANCE No. 32.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**626.]** § 1. That all of ordinance number thirty-two of the Revised Ordinances of the City of Centralia, except so much thereof as relates to that part of Oak street lying between First North street and Second South street, is hereby repealed, and said streets and alleys are hereby declared to be open to the public use. Also all streets north of First North street are hereby declared open to public use.

Approved September 1st, 1868.

In testimony whereof I have hereunto set my hand and  
affixed the City seal this 2nd day of September,  
[SEAL] 1868.

SAMUEL STORER, MAYOR.

Attest: J. C. COOPER, CITY CLERK.

## AN ORDINANCE REPEALING ORDINANCE NO. 48.

## ORDINANCE No. 53.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**627.]** § 1. That ordinance number forty-eight (48) be and the same is hereby repealed.

Approved February 2d, 1869.

Intestimony whereof I have hereunto set my hand and affixed the city seal this 2nd day of February, A. [SEAL] D. 1869.

SAMUEL STORER, MAYOR.

Attest: J. C. COOPER, CITY CLERK.

## AN ORDINANCE VACATING A PORTION OF FOURTH AND SIXTH SOUTH AND OTHER STREETS.

## ORDINANCE No. 26, R. O. 1867.

## AN ORDINANCE TO VACATE CERTAIN STREETS IN THE CITY OF CENTRALIA.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**228.]** § 1. That so much of Fourth and Sixth South streets as lie between Pine and the eastern boundary of the city are hereby vacated, and also, so much of Cedar street as lies between Third South street and the southern boundary of the city, and all of Short street are hereby vacated: *Provided*, the street on the eastern boundary of the city from its southern terminus to Third South street be opened seventy feet in width.

Approved, September 9, 1861.

## AN ORDINANCE VACATING CEDAR AND OTHER STREETS.

## ORDINANCE No. 63.

## AN ORDINANCE TO VACATE CERTAIN STREETS IN THE CITY OF CENTRALIA.

*Be it Ordained by the City Council of the City of Centralia, Illinois:*

**629.]** § 1. That so much of Sixth South street as lies between Pine street and the east line of section eighteen in the City of Centralia, and also so much of Ceder street as lies between Fifth South street and Calumet street, and all of Short street are hereby vacated.

**630.]** § 2. That the above vacation of streets is made in consideration of the property owners of blocks numbered ninety-one (91) and ninety-two (92) in the Railroad Addition to the City of Centralia, ceding and conveying to the City of Centralia thirty-five feet in width of land off the east side of said blocks, numbered ninety-one (91) and ninety-two (92), extending from Calumet street to Fifth South street, for the purpose of making a street seventy feet in width on the east line of said blocks, from Calumet street to Fifth South street, the same to be recorded as an addition to the thirty-five foot street platted and recorded by the Illinois Central Railroad Company, on the east side of said blocks.

**631.]** § 3. Ordinance number twenty-six (26) is hereby repealed.

Approved March 9th, 1871.

In testimony whereof I hereunto affix my name and the  
[SEAL.] seal of the city this 9th day of March, 1871.

M. C. KELL, MAYOR.

Attest: J. H. OXLEY, CITY CLERK.

## AN ORDINANCE VACATING ALLEY IN BLOCK C.

## ORDINANCE No. 38.

AN ORDINANCE VACATING A PORTION OF A CERTAIN ALLEY  
IN THE CITY OF CENTRALIA.

*Be it Ordained by the City Council of the City of Centralia,  
Illinois:*

**632.]** § 1. That so much of the alley lying north of block C in the City of Centralia, as lies west of the intersection of Hickory street and east of the intersection of Union street with said alley, be and the same is hereby vacated: *Provided*, the owner of said block C will convey to said City of Centralia so much of said block as may be necessary for a full width continuation of Union street directly through said block until it shall intersect Fourth North street, said conveyance, and recording of the same, to be at the expense of the owner of said block.

Approved April 6th, 1875.

In testimony whereof I have hereunto set my hand and  
caused the seal of the city to be affixed this 7th  
[SEAL] day of April, A. D. 1875.

M. C. KELL, MAYOR.

Attest: H. G. HAND, CITY CLERK.

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Illinois & Central & Railroad  
Company's Contract  
With the City for Water Works.

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## ILLINOIS CENTRAL RAILROAD

### COMPANY'S CONTRACT WITH CITY FOR WATER WORKS.

**633.]** THIS AGREEMENT, made and entered into this 4th day of March, A. D. 1893, by and between the Illinois Central Railroad Company, a corporation organized and doing business under the laws of the State of Illinois, party of the first part, and the City of Centralia, in the State of Illinois, party of the second part,

WITNESSETH, That whereas, the said party of the first part is the owner of certain lands, and a system of water works thereon situate, consisting of a dam and reservoir in the channel of Crooked Creek, pump house, boiler, pump, water mains and appurtenances thereto, in and adjacent to the said City of Centralia, all of which is hereinafter particularly described, used by the said party of the first part for the purpose of furnishing various departments of its railroad system hereinafter mentioned, in the said City of Centralia, with a supply of water in pursuance of the powers conferred upon it by its charter;

And whereas, the said party of the first part is interested in having the facilities for obtaining a supply of water for its use as aforesaid, in the City of Centralia, largely increased, so that there shall at all times be furnished an adequate supply of water for its aforesaid use in the City of Centralia;

And whereas, the said party of the second part is empowered by its charter and the laws of the State of Illinois to provide the public in the said City of Centralia, including said party of the first part, with an adequate supply of water, and to that end has the power to lease for a term of years, or purchase, the said lands and the said system of water works situated thereon, belonging to the said party of the first part, and increase the capacity, enlarge and improve the same;

And whereas, the said party of the second part is interested that there shall at all times be furnished to the public an adequate supply of water, and likewise believes that such interests will be better subserved by the performance of this contract:

Now, therefore, the said party of the first part, for, and in consideration of the covenants and agreements hereinafter made and entered into by the said party of the second part, for itself, its successors and assigns, hereby make the following covenants and agreements:

**FIRST.** That the said party of the first part doth hereby demise and lease unto the said party of the second part, the following real estate, situated in the County of Marion, and State of Illinois, more particularly described as follows, to-wit:

A strip of land two hundred (200) feet in width, being one hundred (100) feet wide on either side of the center of Crooked Creek, beginning at the west line of the northeast quarter of section six (6), township one (1) north, range one (1) east of the Third Principal Meridian, thence running eastwardly following the course of the creek twelve hundred sixty (1260) feet to a line fifty feet west of and parallel with the center line of the main track of the party of the first part; also beginning at a line fifty feet east of and parallel with the center line of the main track of the party of the first part, thence southeastwardly following the course of the creek six hundred (600) feet to the south line of land conveyed to the said party of the first part by J. S. Harvey, deed dated June 10th, 1873; also a strip of land one hundred (100) feet wide lying north of and adjoining the center of said Crooked Creek, beginning at the south line of said land conveyed by said

Harvey, thence southeastwardly one thousand (1000) feet to the east line of land conveyed to the party of the first part by J. Gall and wife, by deed dated March 8th, 1861.

Also a piece of ground on which the pump house now stands, bounded as follows: On the east by a line west of and parallel with the center line of the main track of the party of the first part, and twenty (20) feet distant therefrom, on the south by a line fifty (50) feet north of the east and west line running through the center of the northeast quarter of said section six (6) and parallel thereto; on the west by a line parallel with the said east boundary and sixty (60) feet distant therefrom; on the north by Crooked Creek. In all eleven (11) acres of land more or less, shown by plat hereto attached and marked "Exhibit A"; together with such, and such only of the buildings, betterments, fixtures and appurtenants thereon situated, as are hereinafter specified, mentioned and enumerated, that is to say, the present dam across the channel of Crooked Creek, and the reservoir formed therein, the one-story brick building and the chimney, now used as a boiler; pump and engine house, situated thirty (30) feet west of the main track of the said party of the first part and one hundred and fifty (150) feet south of the center of the channel of the said Crooked Creek.

To have and to hold said demised premises for and during a term of twenty (20) years, commencing on the first day of April, A. D. 1893, and ending on the thirty-first day of March, A. D. 1913, for the use and purpose of increasing the present system of water works thereon, and establishing a system of water works that will at all times, so far as practicable, furnish the public, including the party of the first part at the City of Centralia, with an adequate supply of water.

SECOND. The said party of the first part doth further demise and lease unto the party of the second part the following described machinery, fixtures and appurtenances used in connection with the present system of water works, to-wit: The 14x7x10 water pump, furnace, boiler and steam fittings, also all guages, pipes, connections, fixtures and appurtenances used in connection with the said boiler or pump, now contained in the

aforesaid brick boiler and pump house; also fifty-five hundred (5500) feet of eight (8) inch main now laid on the right of way of the said party of the first part between the said Crooked Creek and Broadway street in the City of Centralia:

To have and to hold said demised machinery and appurtenances for and during such a portion of the aforesaid term of twenty (20) years, as the same may be reasonably safe and serviceable for the use of the said party of the second part in connection with its said system of water works so to be established,—the termination of the portion of said term to be made as hereinafter specified.

THIRD. That said party of the second part shall and lawfully may peaceably and quietly have, hold, use and occupy, possess and enjoy the said demised premises with the appurtenances enumerated and mentioned, during the term aforesaid, without the lawful let, suit, trouble, eviction, molestation or interruption of the said party of the first part, its successors or assigns, except as hereinafter provided.

FOURTH. That said party of the second part shall have the right, privilege and authority to make all such changes, additions, removals and alterations of the above demised premises, such as excavating or altering the channel of said creek, digging reservoirs and basins for additional water supplies on said premises, altering, remodeling, removing the walls of, and making additions to said brick building and raising the height of said dam, which, in the opinion of said party of the second part, shall be necessary for the construction and successful operation of its system of water works.

FIFTH. That said party of the second part shall have the right, privilege and authority to remove said boiler, pump or any of the fixtures or appurtenances thereto, to any other part of said system of water works, also to take up and remove said water mains and use the same for any other portion of said system, using due care and caution not to unnecessarily injure the same in said removal.

SIXTH. Said party of the second part shall have the right, privilege and authority to enter upon, and lay down additional mains beneath the surface of the right of way of the said party of the first part, being a strip of land two hundred (200) feet in width at any portion thereof between Crooked Creek and Broadway Street in the City of Centralia, provided that in doing so due care shall be taken not to unnecessarily interfere with any of the tracks of the said party of the first part, and wherever said water mains are laid under said tracks, the tracks shall be placed in as good condition as they were before said mains were laid, provided however, that all work done upon the said right of way shall be performed in a manner satisfactory to and under the direction of the party of the first part, and if the party of the first part shall so elect, it may cause the work to be done by its employes; and in case the work is so done the party of the second part agrees to pay to the party of the first part the actual cost thereof.

SEVENTH. The party of the first part for itself, its successors and assigns, grantees and lessees, hereby expressly waives any and all claims for damages or injuries to itself or them which may result from or grow out of the flooding, or overflowing, or backing of water upon the lands now owned, or hereafter acquired by it, as the result of the construction and raising the height of said dam on Crooked Creek, or the establishment of said system of water works.

EIGHTH. Said party of the first part will at once construct and maintain at its own expense during the continuance of said term, a suitable switch track or siding, on the west side of its said main track near said pump house, south of said creek, for the loading and unloading of cars.

NINTH. That for and during the continuance of this contract, the said party of the first part will furnish cars at any point on its track in the City of Centralia, to be loaded with coal, and haul the same to said pump house at the uniform rate of three dollars (\$3) per car, for the purpose of providing fuel for the operation of said system of water works, at such times as may be necessary, and within forty-eight (48) hours after being requested so to do.

TENTH. Should said party of the second part at any time during the continuance of said term desire more land for the use or extension of its said system of water works, lying contiguous to the said demised premises, or abutting upon said Crooked Creek, which is owned by said party of the first part, and shall not be used or required for the operation of its Railroad, the said party of the second part shall have the right to lease the same for the balance of any portion of said term, for an annual rental of six (6) per cent. upon the appraised value thereof, to be ascertained and determined by appraisers chosen in the same manner as the appraisers hereinafter provided for.

ELEVENTH. Said party of the first part shall pay as monthly compensation for each and every month during the first five (5) years of said term, for the supply of water herein agreed to be furnished to it by the said party of the second part, the sum of one hundred and eighty dollars (\$180), less the amount of interest and rent for the use of the premises and machinery hereinafter provided to be paid by the party of the second part to the party of the first part, such balances to be payable at Centralia, on the fifteenth (15) day of each month. The amount of water furnished the said party of the first part by the said party of the second part during the first five (5) years, shall be determined by a meter or meters to be furnished and maintained by the party of the second part; the average monthly supply in gallons shall be ascertained therefrom, and the price per one thousand (1000) gallons ascertained by dividing one hundred and eighty dollars (\$180) by the number of thousands of gallons in said average monthly supply.

TWELFTH. Said party of the first part shall pay as monthly compensation for said supply of water so to be furnished it by said party of the second part, for and during each and every month of the succeeding fifteen (15) years covered by this contract, the sum of one hundred and eighty dollars (\$180) for an amount of water equal to the average monthly supply for the first five (5) years aforesaid, and an additional sum for all the water furnished in excess of said amount, at a price per one thousand (1000) gallons equal to one-half the price established

in the manner above stated: *Provided*, that in no case the said monthly compensation shall be less than one hundred and eighty dollars (\$180); but the moneys payable by the party of the second part to the party of the first part by way of rent or interest for the use of the premises and machinery hereby demised, as hereinafter provided, shall be deducted from the amounts thus accruing monthly to the party of the second part, and the balance only shall be payable from the party of the first part on the fifteenth (15th) day of each month.

THIRTEENTH. Said party of the first part will, in the use of the supply of water so to be furnished it by the said party of the second part, be economical and careful not to waste the same, and will prepare, adopt and enforce such needful rules among its employes as will prevent the waste of said water or the using of more than is reasonably necessary for legitimate purposes.

FOURTEENTH. The party of the second part shall have the right to construct upon the premises of the party of the first part such catch basins and to lay such pipes as may be necessary to save and collect for its own use any waste water not required for the use of the party of the first part, derived from the supply furnished by the party of the second part, but the location of all such catch basins and pipes shall be subject to the approval of the party of the first part, and all the conditions and requirements of section six hereinbefore contained, shall apply to and be carefully observed in the doing the work of constructing and laying the same.

The said party of the second part for and in consideration of the foregoing covenants and agreements on the part of the said party of the first part, its successors and assigns, hereby makes the following covenants and agreements:

FIRST. That it will, as soon as practicable, proceed to establish a system of water works upon said demised premises and elsewhere in the said City of Centralia, for the purpose of supplying the public, including the said party of the first part, as hereinafter specified, in the said City of Centralia, with an

adequate supply of water; and to that end and for that purpose it will alter, improve and increase the said system of water works herein demised, improving and increasing the capacity of the reservoir formed in the channel of Crooked Creek, by raising the top of said dam to within about four (4) feet of the top of said creek banks, by purchasing and erecting another large boiler and pump, also, a large stand pipe and suitable water mains to be erected and placed so that an adequate supply of water may be furnished to the public and the said party of the first part, at convenient points in the said City of Centralia, and from time to time during the continuance of this contract increase its said system of water works and its facilities for furnishing water, as the demands for the same and the consumption thereof shall require.

**SECOND.** That it will furnish to the said party of the first part during the continuance of this contract an adequate supply of water of such quality as Crooked Creek affords, for the use of its engines and for its general use in and about its station and yards, including the north yard, railroad shops, engine house, station house and hotel, hydrants for washing coaches, and all hydrants necessary for fire protection: *Provided, however,* that no water shall ever be taken by said party of the first part from said system of water works to be conveyed in water trains, tanks or otherwise, to supply other points on its said railroad system, or to be used for any other purposes than above indicated, except under expressed permission from the said party of the second part, and additional compensation therefor, and the said party of the second part reserves the right to refuse to furnish any such additional supply of water whenever it shall be of the opinion that the same will endanger its ability to furnish the public in the City of Centralia with an adequate supply of water, or to perform its obligations under this contract.

**THIRD.** That it will pay unto the said party of the first part as monthly rent during the continuance of this contract for the use of the real estate hereinbefore described, including said present dam, brick building and water rights, the sum of eleven dollars and sixty-three cents (\$11.63) for each and every month,

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—the amount of said rent to be deducted from the amount due the said party of the second part from the party of the first part for water supplied, as hereinbefore provided in sections eleven and twelve of this contract.

FOURTH. That for and during the first five (5) years of said term, it shall pay to the said party of the first part as monthly compensation for the use of said boiler, pump, water mains and other fixtures and appurtenances hereinbefore demised, the sum of thirty-three dollars (\$33) for each and every month, —the amount of said compensation for machinery and appurtenances also to be deducted from the amount due the said party of the second part from the said party of the first part for water furnished.

FIFTH. That at the expiration of the said term of five (5) years and of each and every succeeding period of five (5) years during the continuance of the use of said boiler, pump, water mains, fixtures and appurtenances, they shall be appraised, and said party of the second part shall pay as monthly compensation for the next ensuing period of five (5) years for the use thereof, a sum equal to one-half ( $\frac{1}{2}$ ) of one (1) per cent. upon such appraised valuation, on the fifteenth day of each and every month in each year.

SIXTH. Whenever any of the said articles mentioned in the preceding clause shall become so worn out, decayed or dilapidated as to be of no further service to the said party of the second part in connection with its said system of water works, it shall at once notify the said party of the first part of that fact, and if so required by the said party of the first part, upon the receipt of thirty (30) days written notice, it shall deliver the same to the said party of the first part on the premises where the same is situate, and from and after so notifying the said party of the first part, said party of the second part shall be allowed to deduct from said monthly compensation an amount equal to one-half ( $\frac{1}{2}$ ) of one (1) per cent, upon the valuation of the articles so worn out, decayed or dilapidated, as ascertained by the last preceding appraisement thereof.

SEVENTH. That it will make such repairs upon said demised premises as are necessary to preserve the same for its said use, but will not replace any of the machinery, pump, boiler, water mains, pipes, fixtures and appurtenances herein demised when the same are worn out, decayed, or dilapidated, and at the expiration of said term will deliver up said demised premises to said party of the first part in as good condition as the same are now, ordinary wear and tear, deterioration from age and use, and such alterations as provided for in this contract excepted.

EIGHTH. The said party of the second part shall and will also pay all taxes and assessments, ordinary or extraordinary, general or special, which shall be imposed upon the said demised premises and their appurteuances, or any part thereof, or the buildings and improvements placed thereon, including all additional land that may be hereafter leased to or furnished for the use of the said party of the second part, pursuant to the terms of this agreement, during the continuance of the tenancy hereby created, or so long as the party of the second part shall continue in the use and enjoyment of the said lands and premises, and the party of the second part shall and will also protect and save harmless the party of the first part from and against all claims for loss, injury or damage, that may be made or preferred by any person or persons, on account of the raising of the dam aforesaid, or for any other reason directly or necessarily growing out of this contract, except from the negligent acts of the said party of the first part.

It is further mutually covenanted and agreed by and between said parties hereto:

NINTH. That the title of all machinery, betterments, pumps, boilers, appurtenances, pipes and fixtures, which may be placed by said party of the second part upon said demised premises, or any of the land of the said party of the first part, shall remain in said party of the second part, notwithstanding the fact that the same may have been attached to the realty, and at the expiration or termination of this contract the said party of the second part shall have the right, privilege and authority at any time within ninety (90) days thereafter, to enter into and

upon the said premises, sever and remove the same, conditioned however upon its giving the said party of the first part ninety (90) days notice in writing of its intention to sever and remove that portion of the main pipe laid between the said pumping works and engine house of the party of the first part south of Broadway street.

TENTH. Should the parties hereto elect not to renew this contract at the expiration of said term, then the said party of the first part shall purchase the permanent improvements other than machinery, etc., which it is herein provided that said party of the second part shall have a right to remove, provided, however, that such permanent improvements shall be of a kind and quality as are reasonable fit and suitable for such a system of water works as the party of the first part may require at that time, and if said parties shall be unable to agree upon the value thereof, then said parties shall each select an appraiser who shall select a third, neither of whom shall be an employee or stockholder of the said party of the first part, or an inhabitant of the said City of Centralia, who shall appraise such permanent improvements, other than machinery, etc., hereinbefore mentioned, which may have been made upon said demised premises by said party of the second part, and the said party of the first part shall pay unto the said party of the second part such a sum as the majority of said appraisers shall determine as the value of said improvements.

ELEVENTH. That said party of the second part shall not be held responsible for a failure to perform its part of this contract or to furnish said supply of water when prevented by fire, the act of God or public enemies, or by injunction or other process of a court of competent jurisdiction, provided such injunction or other process be not collusive.

TWELFTH. That in case of a failure of the said party of the second part to furnish said supply of water, it shall pay as damages therefor such a sum as the party of the first part shall have been compelled to expend to obtain an adequate supply of water elsewhere during the time of said failure, and none other.

It is further covenanted and agreed by and between the said parties hereto, that if the said party of the second part shall negligently and continuously fail for thirty (30) days to furnish unto the said party of the first part the adequate supply of water provided for in the foregoing articles, the party of the first part may, at its election, take possession of said system of water works and operate the same at its own expense, and for its own exclusive benefit, until said party of the second part shall be prepared to resume the control and operation of the same and perform its covenants herein contained, and said party of the first part shall have its said supply of water free of charge while so operating said system, but nothing herein contained shall be construed to work a forfeiture of the property rights of said party of the second part, except for such a time as it shall neglect or fail to perform its part of this contract.

THIRTEENTH. All covenants and agreements herein contained by the party of the first part shall extend to and be obligatory upon its successors and assigns.

IN TESTIMONY WHEREOF, The said Illinois Central Railroad Company has caused to be signed its corporate name by its President, and to be affixed its corporate seal, attested by its Secretary, and the said City of Centralia has caused to be signed its corporate name by its Mayor, and to be affixed its corporate seal, attested by its City Clerk, to these duplicate originals of this contract, this 14th day of March, A. D. 1893.

ILLINOIS CENTRAL RAILROAD COMPANY,  
[SEAL.] By STUYVESANT FISH, President.  
Attest: JOHN DUNN, Assistant Secretary.

CITY OF CENTRALIA,  
[SEAL] By J. N. KERR, Mayor.  
Attest: W. F. BUNDY, City Clerk.

# CLERK'S CERTIFICATE.

STATE OF ILLINOIS, } ss.  
CITY OF CENTRALIA. }

I, John J. Bundy, City Clerk in and for the City of Centralia, do hereby certify that the foregoing extracts from the records of the City Council in and for said City of Centralia are true and correct copies of said Records, that the foregoing Chapters, numbered one to forty-eight, inclusive, styled "General Ordinances", were compiled and revised by Frank F. Noleman and William F. Bundy, pursuant to a resolution regularly adopted by said City Council, that said Chapters were on the 7th day of April, 1896, regularly adopted and passed by said City Council as the Revised Ordinances of the City of Centralia, deposited in my office and afterwards, on the 22nd day of April, 1896, duly approved and signed as such by Jasper N. Kerr, Mayor in and for said City; that the foregoing Special Ordinances, relative to Franchises, Plats, Sub-Divisions, Naming Streets, Etc., include all the Special Ordinances now in force in said City.

I furthermore certify that I am the lawful custodian and keeper of the Records of the City of Centralia, and that the foregoing Revised Ordinances, Special Ordinances and copy of the contract between the City of Centralia and the Illinois Central Railroad Company are true and correct copies of the originals of the same, which originals are now on file in my office.

I further certify that said copy of the Records, Revised Ordinances, Special Ordinances and Contract were compiled, published and printed in this book form by order and authority

of the City Council in and for the City of Centralia, pursuant to the statutes in such cases made and provided.

In witness whereof I have hereunto set my official hand and affixed the corporate seal of the City of Centralia, this 1st day of July, A. D. 1896.

JOHN J. BUNDY,  
CITY CLERK.





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GENERAL INDEX TO  
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Rules for Government of  
City Council.



# Rules for Government of City Council.

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**Rule 1.] MEETINGS.**—The regular meetings of the City Council shall be held on the first and third Tuesdays of each month, as follows: From the first of May to the first of October, meetings shall convene at 7:30 P. M., and from the first of October to the first of May, meetings shall convene at 7 P. M., unless otherwise ordered.

**Rule 2.] PRESIDING OFFICER.**—The Mayor shall preside at all meetings of the Council and shall enforce good order and decorum during the sessions of the Council, and it shall be the duty of all present to respect his orders. In the absence of the Mayor the Council may elect one of their members to preside. In the absence of the City Clerk the Council shall appoint one of their members clerk *pro-tem*.

**Rule 3.] STANDING COMMITTEES.**—Upon the passage of this ordinance the Mayor shall appoint the Standing Committees of the Council, which committees shall hold their places until the first Tuesday in May next, at which time, and annually thereafter, the Mayor shall appoint new Standing Committees for the Council, who shall hold their positions during the municipal year in which they are appointed, unless otherwise ordered by the Council; the person first named on any committee shall be chairman thereof; said committees shall be as follows:

1. Streets, Alleys and Sidewalks.
2. Water.

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3. Fire Department.
4. Finance and Printing.
5. Police.
6. Public Health.
7. Light.
8. Judiciary.
9. Buildings, Public Grounds and License.
10. Railroads and Mines.

That the committees on "Streets, Alleys and Sidewalks," "Lights," "Railroads and Mines" shall consist of five members, and the other committees shall consist of three members, no two of whom shall be selected from the same ward.

**Rule 4.] ORDER OF BUSINESS.**—The order of business at meetings of the Council, unless waived by unanimous consent, shall be as follows:

1. Calling the Roll.
2. Reading the Journal.
3. Reading of Bills.
4. Reception of Petitions
5. Report of Standing Committees.
  1. Judiciary.
  2. Streets, Alleys and Sidewalks.
  3. Water.
  4. Light.
  5. Fire Department.
  6. Police.
  7. Public Health.
  8. Buildings, Public Grounds and License.
  9. Railroads and Mines.
  10. Finance and Printing.
6. Reports of Special Committees.
7. Reports of Officers.
  1. Mayor.
  2. Treasurer.
  3. Street Commissioner.
  4. Marshal.
  5. Police Magistrate.

6. Attorney.
7. Sexton.
8. Clerk.
9. Collector.
10. Superintendent of Water Works.
8. Unfinished Business.
9. Miscellaneous and New Business.

**Rule 6.] SPECIAL MEETINGS.**—Calls for special meetings of the City Council shall be signed by the Mayor or three Aldermen, and shall be served by the Marshal, which call shall set forth the time, place and object of the meeting, and shall be served at least six hours before the time set for meeting; and no business shall be transacted at any such special meeting except such as is mentioned in the call therefor.

**Rule 7.] MARSHAL'S DUTIES.**—It shall be the duty of the City Marshal to attend each regular or special meeting of the City Council; he shall see that the hall is in proper order, and shall have the custody thereof, and shall be responsible to the city for the property contained therein; he shall serve the notice of every special meeting on each Alderman to be found within the city.

**Rule 8.] PARLIAMENTARY RULES.**--The City Council shall be governed by the usual parliamentary rules governing deliberate bodies so far as applicable.

**Rule 9.] MANNER OF VOTING.**—All votes taken in the Council shall be *viva voce*, except votes in confirmation of appointments to office, which shall be by ballot.

**Rule 10.] MANNER OF PASSING MEMORIALS, PETITIONS, ETC.**—No memorial, petition, resolution, ordinance or other matter shall be passed upon, until it has been read by the Clerk in open session of the Board, nor shall any memorial, petition, resolution, ordinance or other matter, be finally passed, until the next regular session after its introduction, if two Aldermen shall object thereto; and all petitions, memorials, resolutions or reports shall be presented in writing before any action is had thereon.

**Rule 11.] SUSPENSION OF RULES.**—Any of the above rules may be suspended by a unanimous vote of the members present at any meeting.









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